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ONE YEAR OF MR. TAFT.

BY EDWARD G. LOWRY.

MR. TAFT has been President of the United States one year. When he came into office he did not have a single political or personal enemy. He had been elected by the largest popular vote ever given any candidate for the presidency. Democrats vied with Republicans last March in their expressions of friendship and esteem for the new President. Never, perhaps, did a President enter office under happier conditions. He had the esteem, the good-will and the hearty good wishes of all of his countrymen. His campaign had caused no rancors or bitterness. The future was as clear as his present was then peaceful. Now, one year later, there undeniably exists a certain lack of confidence in the Taft Administration, a certain doubting, a disposition to reluctantly withhold adverse judgment, or, among extremists, downright disapprobation. Clearly there exists an honest doubt in the minds of thousands of worthy and reputable persons of President Taft's courage, of his devotion to the general welfare, of his desire to enlist on the side of the weak against the strong. As it is commonly phrased in the political jargon of these doubters, Mr. Taft is not a sincere believer and upholder of the "Roosevelt policies." He has (they say) aligned himself with the "reactionaries" with whom his natural sympathies lie.

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It does not matter that these doubts are without any real basis. It does not matter that he is plentifully endowed with courage. It does not matter that the motives influencing his conduct are transparently lofty and simple, and that he is honest with himself and in his public relations to a degree apparently little realized by those who do not know him. It was only a little while ago as political history goes that only an insignificant minority of the people of the United States had any faith in the honesty, integrity, and pure motives of Grover Cleveland. However, these are not things for present consideration. The fact under scrutiny is that President Taft does not command unreserved popular confidence. He has, it is widely reported, "lost ground" since his election. My purpose is to endeavor to set forth what I conceive to be the causes of the present lukewarmness in various sections of the country toward Mr. Taft's Administration, and the suppressed hostility which it is encountering in other quarters.

The main causes, as I see them, that render Mr. Taft suspect in the minds of those who doubt his devotion to the public interests lie (*a*) in the circumstances of his nomination and election, (*b*) disappointment over the tariff bill and (*c*) Mr. Taft's speeches at Boston, Massachusetts, and Winona, Minnesota, delivered in September last at the beginning of his "swing around the circle." Minor contributing causes have been the nimble squirming around the provision of the Constitution which would have prevented Mr. Knox from becoming Secretary of State, the not so flagrant evasion of the constitutional prohibition which prevented A. T. Stewart (during Grant's Administration), but allowed Franklin Mac Veagh to become Secretary of the Treasury, what has come to be known as the "Crane incident," and the Ballinger-Pinchot feud.

Toward the close of his administration Mr. Roosevelt concerned himself largely with the choice of his successor. He wanted a President to succeed him in the White House who would "clinch my policies." He was a long while making up his mind. For a time he was undecided as between Elihu Root, his Secretary of State, and William H. Taft, his Secretary of War. He thought at one time that Mr. Root might do or say something on his tour of South America that would capture the popular imagination to a degree to give him "availability" for the Republican nomination for the Presidency. I don't know whether Mr. Root ever had

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this idea or not, but after he returned home he made speeches in the Mississippi Valley and elsewhere apparently designed to attract popular attention and enlist political interest. There followed no marked popular response. At any rate, Mr. Root presently dropped out of Mr. Roosevelt's calculations, leaving Mr. Taft alone in the running.

The Secretary of War proved a most reluctant candidate. He was overborne in his desire not to make the contest for the nomination. When the idea or plan, call it what you will, was broached to him Mr. Taft said his ambition did not lie in the White House. He had hoped to round out his public career on the bench of the United States Supreme Court. His desires and training all led that way. But the persuasions of Mr. Roosevelt, and perhaps others nearer to Mr. Taft, proved potent. It is, perhaps, not widely nor commonly known that at one time before Mr. Taft's consent had been obtained, Charles E. Hughes, Governor of New York, was Mr. Roosevelt's second choice for the Republican nomination. If Mr. Taft had not been finally induced to make the race it seemed probable at one period that the whole weight of Mr. Roosevelt's influence, prestige and skill in political manipulation would have been thrown to Governor Hughes.

However, Mr. Taft was induced to make the contest for the nomination. Frank H. Hitchcock was employed as his political manager and at once began under the tutelage and advice of Mr. Roosevelt the hunt for delegates, which ended at Chicago on June 18, 1908, when William H. Taft, of Ohio, was nominated for President in the Republican National Convention on the first ballot, the vote being William H. Taft, 702; Philander C. Knox, of Pennsylvania, 68; Charles E. Hughes, of New York, 67; Joseph G. Cannon, of Illinois, 58; Charles W. Fairbanks, of Indiana, 40; Robert M. La Follette, of Wisconsin, 25; Joseph B. Foraker, of Ohio, 16; Theodore Roosevelt, of New York, 3. Mr. Roosevelt absolutely dominated the convention which nominated Mr. Taft. He was in constant communication over the long-distance telephone between Chicago and Washington with Mr. Hitchcock and others managing Mr. Taft's affairs before the convention. He was consulted before any important step was taken, and his wishes were deferred to, and his orders obeyed. That, I think, hardly will be disputed by any one who attended the convention and who was familiar with what was being done at the time.

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Mr. Taft does not lack clarity of mind, and he recognized fully his indebtedness to Mr. Roosevelt. He knew then that he could not be nominated without Mr. Roosevelt's assistance, and that he would not have been nominated lacking Mr. Roosevelt's aggressive determination that he should be. In the period after he became an avowed candidate and before his nomination, Mr. Taft was often urged by his personal friends to separate himself from the Roosevelt Administration; to resign his post in the Cabinet. This he stoutly refused to do, and he gave as his reasons that his chief source of strength lay in his connection with President Roosevelt, and the known fact that he was the President's choice. There was no vagueness in Mr. Taft's mind as to the relative popularity and "strength" of himself and Mr. Roosevelt with the voters. Mr. Roosevelt derived his political power and prestige directly from the people; Mr. Taft derived his political power and prestige from Mr. Roosevelt. This was so clear to the Republican nominee that he travelled from Virginia to Oyster Bay to show his letter of acceptance to Mr. Roosevelt, and to have the then President give it his *visé* before it was made public. The propriety of this action was sharply criticised at the time, but as it appeared later it did not hurt Mr. Taft at the polls, nor impair his chances of election.

The Roosevelt dominance continued through the campaign leading up to the election in November. Mr. Taft's campaign began slowly and badly and sagged horribly until Mr. Roosevelt injected his personality into it and began to write his series of Monday morning letters to Mr. Bryan. Personally, I doubt whether Mr. Taft ever had as much of the popular confidence as he is now popularly credited with having lost. During the two months preceding election day, in the autumn of 1908, I travelled through Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, and West Virginia, and found such a strong undercurrent of feeling, if not against Mr. Taft, at least of lukewarmness toward him, that it led me to believe Mr. Bryan would poll a larger popular vote than he had ever received before. The sentiment then encountered manifested itself on election day in replacing Republican Governors and Republican Representatives in Congress with Democrats.

As the campaign progressed and as Mr. Taft's interest in his own candidacy grew and the quality of his speeches im-

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proved, he made friends for himself. The impression that he made, coupled with Mr. Roosevelt's thoroughgoing backing and recommendation, was sufficient to induce 7,637,676 people to vote for him. But I question whether there is even to-day in the United States what the politicians would call a "Taft vote." I mean such a distinctively personal, coherent, visual, tangible, loyal following as has been demonstrated to exist for Fitzgerald, in Boston, Hearst, in New York City, and Roosevelt and Bryan in the nation. These followings have been carefully nursed into existence and sedulously built up and conserved, and represent years of effort. They are not spontaneous creations. Using the term in this sense I do not believe there is a "Taft vote," as one commonly speaks of the "Hearst vote" or the "Bryan vote."

It was the "Roosevelt vote" that elected Mr. Taft. It was this "vote" that accepted Mr. Taft at Mr. Roosevelt's word. In the vernacular it was demonstrated to the politicians that Mr. Roosevelt could "deliver" his "vote." That is why I question whether Mr. Taft ever had all of the popular confidence which he is now so widely reported to have lost. That complete public confidence is lacking is generally assumed to be true, but how much of it has been "lost"? It is not entirely possible and most probable that a great following of voters who accepted Mr. Taft at Mr. Roosevelt's valuation are now beginning to question whether that valuation was a just one? Why should they question it? One ventures to offer this explanation.

Mr. Roosevelt interested, entertained, provoked the curiosity of, antagonized, aroused and dazzled the people of the United States. Persons who came in contact with him either heartily liked or heartily disliked him. Sometimes they alternately did both several times in the brief space of a week. He had to a surpassing degree qualities that attract attention and provoke comment and discussion. He absolutely could not be disregarded. Now Mr. Taft has none of these qualities. May it not be that the present feeling toward Mr. Taft is comparable with the experience of one who has been living on spices and peppers and highly seasoned foods and, being put upon a wholesome normal diet, after a time cries out: "It is not hot enough. Give me something that bites and scratches as it goes down. That's the sort of thing to which my palate is accustomed."

To these people, grown accustomed to the fury and storm

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speed and high pressure of seven years and a half of Mr. Roosevelt's top-note administration, the comparative quiet and calm of Mr. Taft's even way must seem like the day after the Fourth of July. They have been educated to believe that nothing is true or wise or sincere unless accompanied by a blinding flash and a loud niose. Loss of the confidence of the people on this score is based on so impalpable and uncertain a thing as political psychology. The loss of confidence in Mr. Taft, traceable to disappointment over the new tariff law, does not lie in the realm of supposition and conjecture. It is a concrete thing which may be grasped and handled firmly.

When Congress met in extraordinary session last March immediately after the inauguration of President Taft for the single purpose of revising the tariff, the country at large confidently expected that the revision would be "mainly downward." The people had been led to expect this by President Taft's speeches while making his campaign for election. It is not going wide of the mark to say that those expectations have not been fulfilled; that the Aldrich-Payne tariff law as a whole has not met with the approval of the country. The seven Senators who voted against the final passage of the bill are largely if not wholly responsible for this. They provided the only opposition worthy of the name which the bill met from its inception until it was signed by the President. It is not profitable to inquire here whether they were right or wrong, but they did succeed in crystallizing public opinion against the law, and particularly in a section of the country where to-day, from all accounts, Mr. Taft is least in favor.

There is a wide-spread public conviction that Mr. Taft could have obtained more and greater reductions in the tariff rates had he set himself to the task earlier in the tariff session, and there is no ground for doubt that his failure to assist the men who protested against the terms of the bill before it became a law, and his subsequent commendation of the framers of the bill in his Winona speech, have acted forcibly and directly to create doubts of his sympathy with the great body of the people in the minds of many persons who are anxious to think well of him. Almost equally unhappy from the view-point of political popularity and public confidence was his commendation of Senator Aldrich in a speech made at Boston last September on the eve of his Western tour. Whether rightly or wrongly, a great body of intelligent voters in the up-

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per Mississippi Valley and the West are fully persuaded that Senator Aldrich typifies and personifies all that is worst, most sinister and most menacing to the public welfare and general good in national public life. When President Taft rather went out of his way to say a few kindly words about Senator Aldrich he did nothing to efface this firmly held impression, and he made himself suspect. Coming on the heels of the tariff bill, of which Senator Aldrich had been the chief maker, it shocked and amazed that great body of the electorate which had been educated to believe that the Senator from Rhode Island represents the sum of political unworthiness. By way of simile and not comparison, it was as if one already faintly suspicioned of heresy had proclaimed his belief that Benedict Arnold had been sadly misjudged by history.

It was known almost a year in advance of the national election held in November, 1908, that if the Republicans were successful an extra session of Congress would be called immediately after the inauguration to revise the tariff schedules. Much was expected of President Taft by the ardent downward revisionists. As long before his election as September 5, 1906, when Mr. Taft was a prospective candidate for the Presidency, he said, in the course of a thoroughly digested speech delivered at Bath, Maine:

"How soon the feeling in favor of revision shall crystallize into action cannot be foretold, but it is certain to come, and with it those schedules of the tariff which have inequalities and are excessive will be readjusted."

That, in the haggard phrase, was the "opening gun." It was Mr. Taft's first declaration for revision, and by purposely employing the word "excessive" he plainly indicated revision downward. Only a few days elapsed before he again declared himself to the same effect at Columbus in his native State of Ohio.

By February 10, 1908, Mr. Taft was openly engaged in his campaign for the Presidential nomination. On that day he said in a speech at Kansas City, which was given the widest circulation:

"In the ten years which have elapsed since the enactment of the Dingley tariff, the conditions have so changed as to make a number of the schedules under that tariff too high and some too low. This renders it necessary to re-examine the schedules in order that the tariff shall be placed on a purely protective basis. By that I mean that it should

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properly protect against foreign competition, and afford a reasonable profit to all manufacturers, farmers, and business men; but should not be so high as to furnish a temptation to the formation of monopolies to appropriate the undue profit of excessive rates."

Following this, in his letter of acceptance dated July 28, 1908, Mr. Taft declared:

"The tariff in a number of schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production, and the sale of such articles in this country to profit by the excessive rates. On the other hand, there are some few other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those, the tariff should be raised."

Speaking at Cincinnati on September 22nd, last, after he had been nominated, Mr. Taft asserted in plain words that:

"The Dingley tariff has served the country well, but its rates have become generally excessive. They have become excessive because conditions have changed since its passage in 1896. Some of the rates are probably too low, due also to the change of conditions. But, on the whole, the tariff ought to be lowered."

Another of Mr. Taft's utterances on the tariff was this:

"It is my judgment that there are many schedules of the tariff in which the rates are excessive, and there are a few in which the rates are not sufficient to fill the measure of conservative protection. It is my judgment that a revision of the tariff in accordance with the pledge of the platform will be, on the whole, a substantial revision downward, though there probably will be a few exceptions in this regard."

The platform adopted by the Republican convention in Chicago, which nominated Mr. Taft, did not declare specifically for a revision downward. But Mr. Taft interpreted it as promising "revision, mainly downward." His lead was followed by practically all of the Republican stump-speakers in the campaign that followed the convention. This was particularly true in the States comprising the section known as the Middle West. The call to scale the schedules did not come from the Republican party managers, nor from the protected beneficiaries of the Dingley tariff. It came from the ultimate consumer. President Taft had made himself the accredited spokesman and acknowledged champion of that legendary person. The new tariff law was to remove burdens from his shoulders; it was to reduce the cost

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of necessities; it was to more equitably distribute the burden of taxation; it was to eliminate unjust taxation; it was, broadly speaking, to make the cost of food, clothing and shelter less to the millions of men in this country who have in the past ten years seen their living expenses mount while their income remained stationary or decreased through no fault of their own. The need, the reason and the source from whence came the demand upon Congress to lower the tariff schedules were all as clearly known as anything can be.

When the tariff bill was on its final passage in the Senate seven Republican Senators affirmed and maintained that the ante-election pledges and promises of President Taft had not been kept; that the bill which was to be sent to the White House for signature did not revise the tariff downward. They offered one concrete illustration and specific instance after another to support their assertions. When President Taft signed the tariff and made it law late in the afternoon of August 5th last, he said:

"The bill is not a perfect tariff bill or a complete compliance with the promises made, strictly interpreted, but a fulfilment free from criticism in respect to a subject-matter involving many schedules and thousands of articles could not be expected. It suffices to say that except with regard to whiskey, liquors, and wines, and in regard to silks and as to some high classes of cottons—all of which may be treated as luxuries and proper subjects of a revenue tariff—there have been very few increases in rates."

Nevertheless:

"I have signed the Payne tariff bill because I believe it to be the result of a sincere effort on the part of the Republican party to make downward revision, and to comply with the promises of the platform as they have been generally understood, and as I interpreted them in the campaign before election."

Just there is the point of difference, and one which in my opinion lies at the bottom of the state of the public mind toward President Taft as is being manifested by a suspended judgment or adverse criticism more or less veiled. When the Republican Senators who voted against the tariff bill went home after the tariff session, they were received in their own States with every manifestation of public approval and popular applause. From other States and from other parts of the country not a disinterested voice was raised against the course they had pursued. The full measure of public approbation meted out to the makers

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of the tariff bill was confined to the men who steadfastly opposed it to the end and voted against it. Thus matters stood last September when President Taft began his Western tour. He made his first speech at Boston on the evening of September 14th, at a dinner given by the Chamber of Commerce. These words of his were quickly picked up and spread over the country:

"I am told that Mr. Aldrich will 'swing around the circle' in the present fall, and will lecture in many of the cities of the Middle West on the defects and needs of our monetary system. I cannot too strongly approve of this proposal. Mr. Aldrich, who is the leader of the Senate, and certainly one of the ablest statesmen in financial matters in either House, has been regarded with deep suspicion by many people, especially in the West. If, with his clear-cut ideas and simple but effective style of speaking, he makes apparent to the western people what I believe to be his earnest desire to aid the people and to crown his political career by the preparation and passage of a bill which shall give us a sound and safe monetary and banking system, it would be a long step toward removing the political obstacles to a proper solution of the question."

From Boston Mr. Taft went to Winona, Minnesota. This is the home of Representative James A. Tawney. Mr. Tawney was the only Republican representative from Minnesota in either branch of Congress who did not vote against the tariff bill. Consequently, he was in trouble with his constituents. Winona was obviously chosen by Mr. Taft for his first public review of the new tariff law to help Mr. Tawney regain the good graces of the voters who had sent him to Congress, and who will be asked to re-elect him next November. After asserting that of the 2,024 items in the Dingley law, the rates of duty on 654 had been decreased, the rates on 220 increased, and the duties on 1,150 left unchanged by the new Aldrich-Payne law, Mr. Taft said:

"What I promised was, that there should be many decreases, and that in some few things increases would be found to be necessary; but that on the whole I conceived that the change of conditions would make the revision necessarily downward—and that, I contend, under the showing which I have made, has been the result of the Payne bill. . . . Now it is said that there was not a reduction in a number of the schedules where there should have been. It is said that there was no reduction in the cotton schedule. There was not. . . . Now, I am not going into the question of evidence as to whether the cotton duties were too high and whether the difference between the cost of production abroad and at home, allowing for a reasonable profit to the manufacturer here, is less than the duties which are imposed under the Payne bill. It was a question of evidence which Congress passed upon, after they heard the statements of cotton

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manufacturers and such other evidence as they could avail themselves of. I agree that the method of taking evidence and the determination was made in a general way, and that there ought to be other methods of obtaining evidence and reaching a conclusion more satisfactory. . . .

"With respect to the wool schedule, I agree that it is too high and that it ought to have been reduced, and that it probably represents considerably more than the difference between the cost of production abroad and the cost of production here. The difficulty about the woollen schedule is that there were two contending factions early in the history of the Republican tariffs, to wit, wool-growers and the woollen manufacturers, and that finally, many years ago, they settled on a basis by which wool in the grease should have 11 cents per pound, and by which allowance should be made for the shrinkage of the washed wool in the differential upon woollen manufactures. The percentage of duty was very heavy—quite beyond the difference in the cost of production, which was not then regarded as a necessary or proper limitation upon protective duties. When it came to the question of reducing the duty at this hearing in this tariff bill on wool, Mr. Payne, in the House, and Mr. Aldrich, in the Senate, although both favored reductions in the schedule, found that in the Republican party the interests of the wool-growers of the Far West and the interests of the woollen manufacturers in the East and in other States, reflected through their representatives in Congress, was sufficiently strong to defeat any attempt to change the woollen tariff, and that had it been attempted it would have beaten the bill reported from either committee. I am sorry this is so, and I could wish that it had been otherwise."

Now, "what was the duty of a Member of Congress who believed in a downward revision greater than that which had been accomplished, who thought that the wool schedules ought to be reduced, and that, perhaps, there were other respects in which the bill could be improved?" This was Mr. Taft's answer to his own question:

"All I have to say is, in respect to Mr. Tawney's action [voting for the Payne bill] and in respect to my own in signing the bill, that I believed that the interests of the country, the interests of the party required me to sacrifice the accomplishment of certain things in the revision of the tariff which I had hoped for, in order to maintain party solidity, which I believe to be much more important than the reduction of rates in one or two schedules of the tariff. Had Mr. Tawney voted against the bill, and there had been others of the House sufficient in number to have defeated the bill, or if I had vetoed the bill because of the absence of a reduction of rates in the wool schedule, when there was a general downward revision, and a substantial one, though not a complete one, we should have left the party in a condition of demoralization that would have prevented the accomplishment of purposes and a fulfilment of other promises which we had made just as solemnly as

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we had entered into that with respect to the tariff. When I could say without hesitation that this is the best tariff bill that the Republican party has ever passed, and, therefore, the best tariff bill that has been passed at all, I do not feel that I could have reconciled any other course to my conscience than that of signing the bill, and I think Mr. Tawney feels the same way."

There is the whole case of the downward revisionists against President Taft. Mr. Taft's ante-election pledges and promises are in harmony and agreement with his comments on the tariff bill which he signed, but he believed that a bill which was "not a perfect tariff bill or a complete compliance with the promises made," and in which the wool schedule "is too high and ought to have been reduced," was, on the whole, "the best tariff bill that the Republican party ever passed, and therefore the best tariff bill that has been passed at all," should have been supported and voted for by Republican representatives in Congress "in order to maintain party solidarity, which, I believe, to be much more important than the reduction of rates in one or two schedules of the tariff." The Republican Senators and Representatives who voted against the tariff bill did not agree with Mr. Taft. It is perfectly obvious to-day that their home constituencies as well as many voters in other States support them in their difference with the President.

I doubt whether this uncertainty, this attitude of questioning now manifested toward the Taft Administration and the uprightness, honesty, purity and courage of its motives and convictions will last. Mr. Taft has the capacity and the desire to write himself down in history among the best of our Presidents. For a man who has spent his working-life in political posts of one sort and another he is singularly and absolutely destitute of any skill or understanding of the "game" of politics. He probably did not realize what hurt it would do his prestige before a large element of his countrymen when he praised Senator Aldrich in his Boston speech. The chief fault that his friends have found with his Administration has been his too great fondness and undue valuation placed upon harmony and compromises that left both sides dissatisfied.

The people of the United States do not know Mr. Taft yet, and he is suffering under that disability. Men in any conspicuous position in public life of this country who remain on the na-

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tional stage long enough are estimated shrewdly and accurately and given their proper place and valuation in the scale of public respect and public esteem. Mr. Taft is not the only example of a candidate for the Presidency who was nominated without any overwhelming public sentiment behind him, and without being thoroughly known to the national electorate, but he is, perhaps, the only President who was ever elected under such circumstances. The events of to-day prove that Mr. Taft was not known to his countrymen when they made him President. They are studying him and finding him out.

I have found that the persons who have been most closely associated with Mr. Taft throughout his public career have no doubt as to his ultimately gaining in his own right and his own name the confidence of those voters who put him into his present office. Among these are persons who concede that Mr. Taft's attitude toward the tariff bill while it was in the making, and his attitude toward the Republican "progressives" who sought so zealously and intelligently but ineffectually to have the bill drafted nearer the standard of downward revision to which Mr. Taft was pledged, was a political blunder of the first consequence, of which he is now reaping the effects. They concede, too, that his praise of Senator Aldrich came at an inopportune time, did no good, and was gratuitously unnecessary. Nevertheless, these good people maintain that the people of the United States will forgive honest blunders in their Chief Executive when they are once thoroughly convinced that no suspicion attaches to motives; that there is no taint of chicanery or deceit. It is commonly apprehended by these persons who know the President best that before the end of his present term his disinterestedness, unselfishness and genuine devotion to the common weal will become common knowledge.

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THE DEMOCRATIC IDEAL AND THE CHRISTIAN CHURCH.

BY CHAUNCEY B. BREWSTER.

EVERYBODY knows the definition of Democracy in those immortal words of Lincoln at Gettysburg, words for which he was indebted to the Boston preacher, Theodore Parker, who, in language that may be traced back beyond him, had spoken of government "over all the people, by all the people, for all the people." This is Democracy. There is, however, here involved something more than a transfer of power from the crown to the crowd. There is what we may call the democratic ideal. Beyond democratic methods of government is an ideal regarding human nature. That ideal may be described as the recognition of the average man, without regard to length of lineage or purse, not in virtue of any power, position, or possessions, the recognition of his worth as man and of the possibility that this inherent worth may in actual fact be realized. That ideal appears invested with a divine authority as we recognize God in the onward movement of history. Toward the progress of that ideal unique service was rendered by the epoch-making philosopher of Königsberg. Kant turned attention from intellectual processes and endowments, which are exceptional and distinctive of the comparatively few, to that imperative sense of right and duty which is not confined to the few but is a universal possession of human nature. That the essential principle of worth lies not in knowledge but in will is democratic doctrine.

The democratic ideal itself the world owes to Jesus Christ. It is really a cardinal Christian principle. It is involved in the central fact that the Son of God became Son of Man with men; and into the gospel as a whole is inwrought a conception of the value and possibilities of human nature. The democratic ideal may be defined

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as the recognition of the personality in all sorts and conditions of men. As such it belongs essentially to the gospel. With the doctrines, hopes, and purposes of any Christianity that in aim and spirit transcends the limits of a mere sect is wrapped up this democratic ideal. Its security depends largely upon the true and faithful witness of the Christian Church.

The democratic ideal might have seemed triumphant in France less than four generations ago. But almost immediately it was trodden down by one after another tyranny. The outlook for Democracy to-day is not what it might antecedently have been supposed to be. The horizon is not free from threatening clouds. Before now the world has seen the outward forms of republican institutions kept on, unchanged, to cloak the fact of despotism, and may have the spectacle again. For their true life, the institutions of Democracy depend upon its ideal, and that depends, more than most men imagine, upon Christianity. If that ideal is to be preserved inviolate for future generations, there will be required ampler recognition and fulfilment of the democracy inherent in Christianity. The Church has a positive witness to bear to the worth, and for the complete realization, of the personality and the personal life in all sorts and conditions of men.

The democratic ideal is menaced in America to-day by various influences and tendencies, for example, indirectly by the lowering of standards and directly by influences that may be described as plutocratic. In the first place, then, the Church's witness will consist in the upholding of high standards. With Democracy goes a tendency to lower standards quite naturally where everybody's judgment is supposed to be of equal value. To almost everybody one thing appeals, money. Thus commercialism comes largely to dominate the life of the people. Wealth accumulates and arrogates to itself power. Democracy may safely coexist with aristocracy where, as in England, it is largely an aristocracy historically bound to serve the State and the public weal. As a matter of fact, in England the body politic is more truly democratic and more sensitive to the popular will than in America. There is a measure of truth even in the paradox of Mr. Price Collier that the House of Lords "is the most democratic institution in England."* It is, one may venture to think, even now,

* "England and The English," p. 61.

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and when all is said, in as close touch with the people at large as is the United States Senate. While thus entirely compatible with a genuine aristocracy of service, the democratic ideal is imperilled by a plutocracy which, in the second and third generations, is tempted to assume an emancipation from service. That temptation in America is so insidious and so strong that, although there are not a few noteworthy instances to the contrary, the plutocrat by inheritance is not so likely to be living for the community as to be living off the community. Against plutocratic influences of to-day the Church must faithfully hold up higher standards; must set its face sternly against the vulgarity that means a lack of standards, and that manifests itself in seeking only gain or in devotion to the sole pursuit of pleasure or in flaunting the luxuries and extravagancies of wealth; must persistently endeavor to win men and women to that simplicity wherein lies the true dignity of life and to that purpose of service wherein lies life's value.

The Church may well beware of maintaining such relations with the power of wealth, as to be considered or called an organ of capital. The clergy will by no means engage in the wicked work of exciting class against class. But they will take good care that they do not even seem to be retained in the interest of any privileged class. There are subtle dangers here. In America, for example, there is danger both for the Church and for Democracy in the fact that, while Church influences control almost all the leading schools for boys, the prices at those schools are so high as practically to be well-nigh prohibitory for any but the sons of the rich, and there results in large degree the training up of a wealthy class by itself.

Especially has the Church a prophetic mission to witness to righteousness. The immediate success of a democratic civilization is, for obvious reasons, more likely to be on material lines and to touch the comfort and luxury of the physical accessories of life. There is not the assurance of equal development in taste and intellectual culture. For such a civilization the salt to save from corruption must lie in moral qualities, and the tonic to save from degeneracy in moral endeavor. Inestimable service, then, toward keeping society sound and wholesome is rendered when the Church faithfully proclaims the righteousness that exalteth a nation. It is a needed office to show the personal fac-

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tors entering into economic problems and to state those problems in ethical terms. The Christian Church ought to be the prophetic voice, the embodied conscience, of the time. Its witness is to be borne against commercial dishonesty. The business corporation is practically a new kind of individuality. Corporate Christianity may not rightly ignore the conduct and character of corporate associations of men. It ought to show how men can share in responsibilities as well as profits; to bring, as it were, an X-ray to penetrate the tissue of the soulless corporation and reveal personal responsibility for flagrant wrong, which is not less wrong when men are confederate against right. One corporation ought always and unmistakably to be on the side of right, and that is the corporation of Jesus Christ.

The witness to righteousness is to be borne against plutocratic corruption. There is sinister suggestiveness in the reasons given for his taking office by Lorenzo de' Medici, "Lorenzo the Magnificent." "I accepted against my will and only for the sake of protecting my friends and our own fortunes, for in Florence one can ill live in the possession of wealth without control of the government." It was not the last successful attempt by interests of a certain kind to gain control in politics. Stern witness is to be borne against the temptation in democracies to use public power for private gain, against corrupt political methods, the purchase of votes and the sale of law, against prostitution of the trust of office, against the tyranny of a cabal or a boss, against whatever perverts a government of laws, not of men. Standing for the authority of divine law over all human affairs, the Church ought to be indeed a bulwark for the cause of men. There is need to hold up the highest standards and ideals of citizenship. There are indications of a considerable enlargement of the functions of government. If it shall be so, only of the more import becomes the righteous administration of government and the more important, behind it, an intelligent and righteous public opinion. The Church cannot afford to ignore what is implied in the fact of a government that is to be the exponent of all the enlightenment and of all the virtue of a people.

In particular there should be faithful witness against that apathetic supineness, often attendant upon Democracy, which results in the withdrawal, from the burden and heat of civil life, of certain men who owe their country service. That service, it

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is true, would be likely to involve some cost, not of money, but of pride, a cost larger in America than in England, where a man may suffer defeat and still gain somewhere else a seat in Parliament. Such cost, however, ought not to weigh against plain duty. Genuine civilization demands the discharge of duty by the *civis,* the citizen, the man in society. That is a fine passage in a letter of St. Augustine where, after referring to Plato's Republic, he uses the language: "There is no limit either in measure or in time to the claims which their country has upon the care and service of right-hearted men," and presently writes: "Now the churches which are multiplying throughout the world are, as it were, sacred seminaries of public instruction, in which this sound morality is inculcated and learned." The Church to-day must not be wanting in the inculcation of civic duty and public righteousness.

That temptation to withdraw from contact with the world assails the Church itself now as always. But to-day there is peculiar necessity that the Church come close with potent touch. Our age is turning from dialectics to dynamics. There is need of guidance and inspiration in a spirit of power. There may well be question whether, in dealing with matters of practical ethics and social right and wrong, the Church is not showing a lack of power and has not need to pray and strive for the spirit of counsel and ghostly strength.

It is, I trust, evident that nothing like a baleful connection with the State is necessarily implied in the office of the Church, from its high standpoint, to inspire, to elevate, and to interpret the democratic State. The Church ought to bear witness to-day, as did St. Paul under the Empire, to the majesty of the civil authority. Because, in a democratic society, humanity collectively in the commonwealth governs itself, none the less, rather all the more, is government to-day, as of old it was declared to be, the minister of God whose image humanity bears. Secular in its outward form it may be, yet in reality the State upholds great spiritual forces without which society cannot be maintained, and itself rests upon everlasting moral foundations. Its authority and life are invested with a dignity of purpose which is more than human and essentially belongs to that law whose seat is the bosom of God.

It is impossible worthily to deal with Democracy by undemo-

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cratic methods. It behooves the Church in its own government and administration to exemplify the democratic principle which belongs to its best traditions. That principle has been in a former time too much overlaid by methods that were autocratic and aristocratic. It was quite in keeping with such tendencies for the bishop to dwell apart from the people, sometimes as it is unto this day at Wells, where may be seen the walls about the palace with moat and drawbridge of the fourteenth century.

There is to-day new recognition of the democratic principle, and nowhere more freely than in England. At the recent Lambeth Conference, English bishops expressed plainly their conviction that the Church ought to show a readiness to set its own house in order, and "to model its own system of government on a sound representative and democratic basis." There was adopted by the Conference a resolution that "The ministry of the laity requires to be more widely recognized, side by side with the ministry of the clergy, in the work, the administration and the discipline of the Church." First in the Anglican Communion to provide for an equal representation of the laity was the American Episcopal Church. There is, however, room for question whether, in its councils and on its parish vestries, the actual representation of laymen is sufficiently democratic. Recently Mr. John Burns, in conversation with the writer, pointed with pride to the Labor members of Parliament and to himself in the Cabinet, and said: "In America you have not a single Labor member of Congress." The councils of the Church might be open to a like criticism.

The Church should be true to the democratic ideal in ministration. It ought to be now as it was when the Lord confidently appealed to the fact that the poor had the gospel preached to them. We may well ask if it is so now, and, if not, why not? How then is the Church fulfilling this mission to proclaim good news to the poor? Some of us may wonder whether the majority of our well-to-do people have not yet to be waked up to be aware of any such mission. It is undeniable that the Church of Him who died for all is not to-day by any means reaching all. It is certainly true that the Church of Him who worked at the carpenter's trade ought to come nearer than it does to the multitudes who work with their hands to-day.

That the Church, for example in New York City, does much

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for the poor is not enough. Recently has been raised the pertinent question whether much that has been given to the poor has not been a positive hindrance to the Church's real work, which is to preach the gospel to them. To preach to the poor, moreover, as brothers of the rich is necessary, not only to save souls, but to save society. There are churches where the rich and the poor meet together and together worship Him who is the maker of them all. There ought to be many more such churches than there are. It is a reproach to a congregation even to seem in the least like a club of prosperous and congenial people, to which others, less well-to-do, may not aspire to belong except in the position of pensioners. The Church is for men, whether rich or poor. With a mission to all sorts and conditions of men, it is not as it should be when certain sorts and conditions of men are in large part not receiving its ministrations.

It is time to ask whether there should not be often used very simple and flexible services, adapted to the people to be reached, and also whether the character of the music should not be such as to encourage congregational worship. With the growing ambition for anthems and solos and with an elaborate *Te Deum* too often by poor performance made a *tædium,* it is time to plead for a larger proportion of music that, while not poor and cheap, shall be democratic. "Let the people praise Thee, O God; yea, let all the people praise Thee."

There may surely be question whether, in the financial support of churches, there should not be appeal less to commercial and selfish considerations and more to Christian motives of loyal devotion, generosity and sacrifice. In fact, the pew system, as an adequate means of support, has practically broken down. Few are the parishes where it has not to be spplemented by other methods and by yearly appeals to make up a deficiency. On the other hand, who can estimate how many that system has kept from the house of their Heavenly Father! In a city church that is awake to its mission the appropriated pew, with its provision for comfortable and complacent selfishness, is an anachronism, an obstacle surviving from the past. When a new church is built, in place of pews put in chairs, and you have taken a long step toward making the church truly democratic. If it be really a question of private pew *versus* people, surely there will be no hesitation as to which shall be abandoned.

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Aside from means and methods, the great company of Christians, face to face with pressing problems of the time, ought not even to seem to be dumb and impotent, paralyzed and past feeling. If they are rightly to face those problems, they need a vision of the opportunity, a widening of thought and purpose and renewing of spirit, a more robust effort and a fuller measure of the enthusiasm of humanity. The Church's effort is not to be something apart, in the rear of the battle, only for them that are sore spent and wounded in the fight. Its service ought to be that not merely of the ambulance corps, but of the column's forward march. When its stores of latent power have been fully developed, it will not be out of relation with the main currents of human energy. As in the best periods of its past, it will be a force potent in the progress of humanity onward and upward.

The Christian estimate of the worth and meaning of human life should make men view with larger understanding and sympathy all earnest efforts for human uplift. To be specific, the Society of Christians may properly recognize what is common in its own aims and those of the trades-unions. Doubtless there have been on the part of the unions instances of folly, tyranny and crime. The same might be said of the other side. Yet these associations of wage-earners have accomplished much which could not otherwise have been done. They are likely to be of immense educational value, not only through the learning that comes of making mistakes, but also through the inevitable uplift of minds earnestly working together at great problems. On good authority may be quoted a remark of Mr. Root when Secretary of State: "When I want a pastime, when I want to be stimulated, I go to a labor-union meeting and listen to a debate. I have never heard one carried on as well and so much real thought shown in a Fifth Avenue Club as I have in a labor-union meeting." If the labor organizations be headed by intelligent and disinterested leaders, they might, as Professor Sumner* suggested years ago, be made capable of undertaking a number of matters now imperfectly supervised through government inspection, for example, sanitary arrangements in factories, protection from accidents in factories and mines, limit of age for children employed, hours of labor for women and children. In many communities it would be well for the local congregation to have its

* "What Social Classes Owe to Each Other," p. 94.

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representatives approach the union with a view to certain mutual relations. The Church can afford fairly and freely to recognize the ideals of the unions, the results they have accomplished, and their possibilities of further service to humanity.

When all is said, however, there remains something which the Church alone is fitted to supply and must supply if true to its mission. The manifest design and ultimate destinies of Democracy, who may adequately describe? Yet its way is not the untroubled triumphant march which has been predicted and expected by a former generation. It is a way beset, in city and State and nation, by grave problems and perils. There is need of principles, of vision, of ideals and inspirations which are found in Christianity and which the Christian Church is bound to furnish. Democracy must not turn from its ideals of humanity or be false to human nature. A prime fact of human nature is the inevitableness of religion. The faith of the Son of Man, with all its superhuman sanctions, is none the less the religion of humanity. Of that religion of humanity the Church is the organized expression and ought to be a visible embodiment and living voice seen and heard of all men.

CHAUNCEY B. BREWSTER.

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PROSPERITY WITH JUSTICE—WORKING TOWARD A SOLUTION.

BY JUDGE PETER S. GROSSCUP.

ORIGINALLY property was strictly individual. As civilization advanced the copartnership, the earliest form of "combination," appeared—the union of two or more persons in a single effort. In copartnership expense and waste were cut down, and incidentally competition was partly eliminated, but the general advantages were such that it received the favor and protection of the law.

Civilization becoming more complex, the corporation came—a closer union than the copartnership, of several persons in a single venture—a union so close that the corporation became itself, in contemplation of law, a single artificial person. And civilization becoming still more complex, the so-called Trust came—in its earlier form simply a copartnership of these new artificial persons, the corporations—the medium being some committee of individuals or some trust company who, receiving all the net earnings of the several corporations, divided them among the stockholders of each. Examples of this kind of corporate copartnership were the original Standard Oil Trust, the Sugar Trust and the old Chicago Gas Trust. Other instances were the railway pooling arrangements. And here the country took alarm; copartnership of individuals was all right; the closer union of individuals in a corporation was all right; but copartnership of corporations (themselves essentially copartnerships)—this union of unions—where would this multiplication of union by union end? And what effect would it have on competitors, who continued such as individuals, or in the simpler forms of the primary corporations and upon the public as consumers? The answer was the so-called anti-trust acts in every State and the Sherman anti-trust act for the nation.

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The constitutionality of these anti-trust acts was sustained by the courts, and some of the trusts, notably the original Standard Oil Company and the Chicago Gas Trust, were judicially dissolved. Others voluntarily dissolved. These dissolutions, however, did not relegate, except for a brief period, and then only in theory, the copartner corporations to their original basis. Renewed competition was not secured. Instead many of the corporations (artificial persons), forcibly divorced by the law from each other, disappeared altogether, only to immediately reappear in a greatly enlarged corporation (artificial person)—large enough to include every asset and every participating stockholder involved in the dissolution; that is to say, the divorced corporations first dissolved themselves into their original elements and then reunited in a single corporation large enough to include everything that had dissolved. And in this new union they are among the greatest combinations (all copartnerships and corporations being combinations) that the country contains.

But this was not the course taken by all these corporate copartnerships. Finding a State that was willing to incorporate anything tangible or intangible, present or to come, and being advised that a State corporation was a "person" that would have the same power the country over, as a natural person could constitutionally claim, many transformed themselves from the status of "copartnership of corporations" into "holding companies"; in other words, finding that an outright copartnership of corporations was illegal, they *incorporated* the copartnership, on the suggestion that *that* would make it legal. And many later enterprises in setting up for business have acted upon this theory. Then came the question in the courts as to what was the status before the Sherman law of these holding companies.

The significance of the Northern Securities Case was that, as to quasi-public corporations at least, the mere incorporation of what essentially remained a copartnership of corporations does not make such copartnership valid; and the significance of the recent Standard Oil decision is that that doctrine is carried forward to private corporations as well. Should the later decision be affirmed, the holding company, as a way to get around the illegality of copartnership of corporations, where the necessary effect is to restrain trade, is at an end. Natural persons continue to have the legal right, under the law as it now stands,

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to unite their efforts either in the form of a copartnership or the closer union of the primary corporation. But there can be no extension of this right of union where the effect is necessarily to restrain trade; there can be no union of unions.

We are now in the twentieth year since the enactment of this Sherman Anti-trust Act. The State anti-trust acts immediately preceded and followed the Sherman Act. What, then, is the practical result of this campaign, State and national, of nineteen years? On its purely legal side the outcome of this campaign is that if a number of persons, with a large amount of capital, or with a large borrowing capacity at the banks, desire to unite in enterprises as large as enterprises have grown to be, they must do it through the medium of *one* corporation, itself not the union of several corporations; for though the Sherman Act makes illegal any "contract," "combination in form of trust or otherwise," or "conspiracy" to restrain trade in interstate commerce, no court has held that such "contract," "combination" or "conspiracy" can be between less than two or more persons. The terms themselves imply two or more parties. If a corporation then, no matter what may be its size, is in contemplation of law but one person, this provision of the Sherman Act does not apply. That is to say, five corporations or copartnerships, made up of five persons each, uniting in the form of a contract, trust or conspiracy to restrain trade, would be within the Act; but the same twenty-five persons united, with all their assets in one original corporation, would not be within the statute. In the one case the transaction would be a "contract," "combination" or "conspiracy" between two or more copartnerships or corporations (artificial persons); in the other case it would be a single person—artificial it is true, but in contemplation of law, and therefore of the Sherman Act, one person. This is aside from the second section of the Sherman Act, however, the subject-matter of Judge Hook's opinion, which is a section dealing with actual "monopolies," and not with "contracts," "combinations" and "conspiracies" whose necessary effect is merely to restrain trade; and Judge Hook's opinion is his separate opinion, not that of the court.

This is what these nineteen years have brought forth on their purely legal side. How about the practical business side? Combination is industry systematizing itself; industry cutting out

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waste and expense; industry gathering itself together, that it may work with united strength; industry equipping itself, that it may utilize the commanding power that the human mind has obtained over the forces of nature; and the natural law of economics, under such incentive, is not inclined to look at statute law except in search of ways to escape it. The result has been that on their business side these nineteen years have witnessed a transition not *away* from consolidation, but *towards* it—consolidations of railroads and industries on a scale that no one dreamed of nineteen years ago. Indeed, more than any other single influence, the Sherman Act, instead of halting the process of consolidation, has brought about the enormous corporations we have to-day.

Now, what shall the next stage be? Shall we continue to be satisfied with a change in form, leaving the substance to go on in its own inherent way, or shall we begin to deal with the substance of things, adopting mere forms as the means and not the end of the efforts made? So far as national law on the subject now goes, the States probably have the power immensely to harass foreign corporations, or bar them out of their territory altogether, by making conditions to their entry that they could not fulfil. And by national law itself persons "not natural" might possibly be prohibited from entering into interstate commerce—two ways (constitutionality doubtful) of getting rid of large consolidations. But would either of these ways in the long run pay? As an economic agency—aside from any consideration of unfair prices exacted, and aside from the fact that through it a small class of men are rapidly acquiring America's most valuable domain of property—these consolidations have made it possible to better the condition of livelihood of every man, woman and child that lives to-day. Now if these "asides" can be eliminated without pulling down the structure, what sane man will be looking for a Samson to pull down the structure?

Can these "asides" be eliminated? Can any way be found to obtain the economic advantage that consolidations have brought to civilization *pruned of the wrongs* they have brought with them? For the purpose of considering this, corporations can be divided into two distinct classes: first, those that substantially are monopolies, and, second, those that still are subject substantially to the law of competition. The first class or those

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that substantially are monopolies are the ones chiefly to be dealt with and may again be subdivided into

"(*a*) those that are monopolies because they ought to be monopolies (the public mind on this subject has changed in the past few years), such as railways, telegraph and telephone lines, street and interurban railways, water, light and other public utilities, and (*b*) those that by the acquirement of all, or nearly all, the nation's available resources, or by obtaining otherwise decisive control in any department of industry, have made themselves monopolies."

Now the two prime objects to be obtained—the two "asides" to be eliminated—are:

"(1) That the corporate form of carrying on enterprise shall not impose upon the people at large burdens in the way of prices that ought not to be suffered; and (2) that the corporate domain, as a form of holding property, like the farms of the country, should be taken up by the people at large, not indirectly, as at present, but as direct proprietors."

To meet the *second* of these objects, no adequate proposal has yet come from those who have the lawmaking power in their hands. "Federal incorporation" will be no remedy, if by that it is meant simply to incorporate at Washington the free-for-all, go-as-one-pleases corporate structures that now emerge from most of the State capitals. To meet the *first* of these objects—that unfair prices shall not be imposed upon the public—two proposals have been made—viz., that in the case of quasi-public corporations the rates shall be under the regulation of the Government, and that as to industrial enterprises that have made themselves monopolies (competition being a cure for monopoly) the tariff laws shall be so adjusted that the area of competition shall be made world-wide.

My own experience, sitting in the United States Circuit Court, has taught me what a complex problem regulation of railroad rates by Government is. In the first place there is (and in a country as yet so unevenly populated and developed there can be) no common unit, measuring-line or principle, as "per pound, per mile" or the like, that is uniformly applicable; for a rate that would be excessive in some parts would be so inadequate in others that it would bar out transportation facilities altogether. Indeed, new industries and new communities have been set on their feet by initial rates so low that, for the time being, and considered by themselves, they were a loss to the carrier;

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and ocean and other waterway rates complicate the matter. Then, too, in the absence of a definite valuation of the carrier's investment, there is no common denominator upon which to calculate whether given rates by the carrier are reasonable or not. Indeed, in the absence of a common measuring-line and a common denominator of value, rate-making is at most a mere guess. And in addition to this, to take from the carriers themselves, each dealing with its own constituency, and each depending upon the prosperity of its particular constituency for its own revenue, the power of initial rate-making—turning it over to a body of men whose knowledge on the subject is largely academic—would, in my judgment, be much less satisfactory than (the incentive to overcharge being removed) the direct relationship of carrier and shipper, living with each other day in and day out and mutually understanding each other's needs. I do not mean by this to put my voice, what little it is worth, against the regulation of rates suggested. What I mean is, that put into force that suggestion will be no sure "cure-all" of all the evils.

To recur to the larger question, then, here is the situation as I see it: within the vast field of transportation, where in the nature of things the operating agencies must be monopolies, the Sherman Act as a last effort to maintain competition and thereby to regulate prices, has come to the end of what it can accomplish; for as against consolidation in the way of a single corporation (one person, artificial it is true, but still within the law a "person") no effort has yet been made to use the Sherman Act. And within the vast field of industry, where, by their acquirement of deciding control, the operating agencies have made themselves monopolies, the Sherman Act, as a last effort to maintain competition and thereby regulate prices, has also come to the end of what it can do. But within these vast fields the law of competition, as the one thing standing between a nation of consumers and the producers from whom the nation of consumers is forced to buy, is at an end also. To the extent that these monopolies are quasi-public corporations, rate regulation by Government may be of some avail; but at best it will be unsatisfactory. To the extent that they are industrial enterprises, the opening up of world competition by an adjustment of the tariff may be of some avail; but some of these enterprises are fortified against world competition. What, then, is the remedy?

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The Anglo-Saxon mind habitually holds fast to that which is old and has been tried. But sometimes that which is really new creeps behind the shield of the old and the tried. Monopoly, as a necessary product of our new civilization, is itself new. The man who has his labor or his services to sell must sell at what the world determines to give. *That* is the old and the tried. The manufacturer who is in a field where competition still controls must sell at what the world determines to give. The middle man may think he is fixing his own prices (within a narrow margin, he is), but in all substantial respects it is the world that determines what his profits shall be. Over us all, save and except those who have obtained for themselves the deciding voice, the world holds the deciding voice. But in the case of those who have "obtained for *themselves* the deciding voice"—is there anything of the "old and the tried"? Sometimes I wonder if behind all the ineffectual effort we have put forth to find a remedy for these new conditions, *in line with the old and the tried,* however, the public mind is not silently perceiving the ultimate remedy—juster, more effectual, and in accordance, too, with the *spirit* of the old and the tried—holding back from putting the remedy into words because the public mind is not ready as yet to put what it is thinking about into words. Let me put it into words, that it may be openly considered, at least, if not accepted.

First: Let there be a valuation of each of the railway properties (I take the railway properties as an illustration only), rejecting "the cost of reproduction" as the measure, but taking as the measure what it fairly cost to bring these railroads to their present condition. Add to this, as time goes on, the cost of extensions and such improvements as ought to go to capital account; and upon the capital that the two thus constitute—a capital that is definite—allow returns at a definite given rate, after making provision for depreciation, maintenance and the improvements that are rightly chargeable to operation and not to capital account.

Second: The traffic rates now charged the public by the carriers are on file with the Interstate Commerce Commission. Take these, or such rates as are on file when the foregoing change goes into effect, as the second definite postulate; and ascertain at given intervals what the public has *saved,* if anything, by the applica-

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tion of reduced rates, instead of the previous rates, to the traffic carried during the preceding period.

Third: A saving to the public having been shown, allow the carrier out of the accumulation, if there be any, and if the reduction be not at the expense of quality of service, as a return additional to his fixed return, a certain percentage of such savings (the maximum to be definite), as also possibly for a security fund against the "lean years," this maximum also to be definitely fixed; allow the Employee's Insurance and Old-Age Pension Fund another percentage; and the Employee's Investment Account another percentage, to be invested for them *and as their property* (the apportionment to be according to age and length of service) in any authorized future issues of securities of the carrier for extensions or improvements.

Fourth: Should it appear on such periodical accounting that the carrier has accumulated out of the rates charged the public, over and above the needs above set forth, and the constant bettering of the service, further amounts, the same shall go into the United States Treasury, *unless within a succeeding given period it shall have been absorbed in a still greater bettering of service or a reduction of rates of traffic charged the public.*

To the objection that this is a tax levied upon the carriers for the benefit of the public treasury, the answer is that it is a tax that will *never accrue,* for by reducing rates and bettering service (both the self-interest of the carrier) no balance need remain. The provision is a menace, not a tax.

To the objection that the carriers are thus left to fix their own traffic rates, the answer is that all pecuniary interest being taken out of *increase* of rates, the carriers can be safely left to fix them, initially at least, subject to supervision against discriminations.

To the objection that enterprise must have some prospect ahead, the answer is that there are actual, tangible prospects in the increased dividends provided. True, they depend upon reduction of rates, but reduction of rates is a sequence of improved methods, wastes cut out and expenses reduced, and especially a sequence of constantly growing populations tributary to the lines.

To the objection that the proposition is revolutionary—that it is the first time in our American history that it is proposed to set a limit upon success or what success may earn, the answer is

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that this is the first time in American history that the public have been seriously called upon to inquire whether that character of success, which would not be success at all except for the State's granting of the privilege of incorporation, has any natural right to go forward without limit; and that this, too, is the first time that the people have been called upon to inquire whether a policy that subjects corporations, free from competition, to public control over what shall be their returns, is not more nearly akin to the old economic law that he that has anything to sell must take what the world determines to give, than would be a policy that forever leaves it for these exceptional corporations to say that what *they* have to sell the world must take without a word as to what it thinks it ought to give. Besides, in the case of the carrier at least, a limit on earnings to be appropriated as returns is not different in principle from the limit on rates that the Government is now exercising. The difference is one of method, not one of eventual result.

I submit the remedy thus outlined as the logical and the most promising next stage in the progress of events that have brought us to where we now are. It is applicable to those combinations that have made themselves monopolies, as well as to the natural monopolies—the anti-trust acts being left to act upon those enterprises that have not become monopolies. But I would not apply it where tariff revision would restore competition; tariff revision, therefore, is bound up with this corporate remedy. There is much, of course, in the outline to fill in, especially in means calculated to secure no depreciation in quality; but I believe that fully developed this plan can make it to the self-interest of the corporations dealt with not to depreciate quality. There is in this plan no interference with private right; the corporation is not a private person, and it can claim none of the so-called "natural" rights of private persons. And, on the other hand, there is in this plan no interference with the corporation's legitimate "business management" of its own affairs —the management of the corporation's business is left in the hands of its own managers. The central thought of the plan is co-operation of self-interest with justice; justice obtained through natural law; enterprise in the hands of individuals carried on by those who win their places by adaptability, as against enterprise carried on by Government; development along natural

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lines, subject only to the restrictions that the world always has laid and always ought to lay on palpable injustice. The plan put into effect, it seems to me, would remove those acute antagonisms —do away with the border warfare—between the people and these great enterprises; and in the doing away with border warfare—supplemented by a reconstructed corporation policy, State and National, that would secure the holders of corporation securities, against the dangers that lie not only in overissues of securities, but in the unrestrained manipulation of securities and in misuse of the power of declaring dividends such as mulcted the public in the old Chicago street-railway securities—would immediately tend to bring the people into direct ownership of this class of property, just as the Western lands were taken up by the people the moment the frontier garrisons were supplanted by the agricultural school and the county fair. And peace restored, and with it justice, men would begin to think more of achievement measured by service than of achievement measured by what one has accumulated. To great enterprise-builders, and to those great in their operation, would come the better kind of honor and satisfaction which comes to those who are great in other walks of life. And this America of ours, so rich in ideals and human tenderness, would turn its creative vitality into channels infinitely more helpful than these continual contests between the bare talent for money-getting, on the one hand, and the instinct, wide as human nature, on the other, that no one class of men shall become the possessors of the earth.

There are a few groups of men in this country, composed each of comparatively few men, who, from their grasp upon our growing corporate domain, have taken out in *personal fortunes* in the past ten years sums approaching in greatness all that has been collected by the Government of the United States through every avenue of its power to tax. The means that enable these groups of men to put themselves upon a level with the Government as collectors of revenue from the people, besides the tariff, is the grasp they have held on the country's resources, through the right of unconditioned incorporation, that our corporate policy heretofore has granted them. Under this license these groups of men have capitalized in advance, and distributed among themselves as their own property, everything that discovery and invention (the work of the whole world) was destined in an in-

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ventive age to bring, and everything that the advance of economic science (again the work of the whole world) was destined in a progressive age to do. And the tariff has been employed to augment still further these unparalleled advantages.

From these groups I would not take one farthing of what they have accumulated. From the property into which these profits have gone, turning the original water in many instances into the wine of approximately actual value, I would not take one farthing. Let the past bury the past. What was done by these men was done under policies put into law by ourselves. But here and now I would have these *policies* stopped. They can be stopped now without shock; and once the country is put upon a juster basis of prosperity, the anomalies that these policies have brought forth will shortly disappear. They can be stopped, too, without infringement, on the precept that to him that has given much to mankind in the way of successful effort shall be given a corresponding individual return. But after ten years more, who can tell at what cost to the nation's strength, and to the nation's peace, and to the whole doctrine of legitimate individualism, any halt in these policies can be made effectual?

PETER S. GROSSCUP.

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THE ACTUAL STATE OF ART AMONG US.*

BY EDWIN HOWLAND BLASHFIELD.

SOME of us here looking backward can remember quite well the output of American Artists fifty years ago, the art galleries and museums of what Mr. Henry James called mediæval New York. In those days long open sleighs plied as winter 'buses on Broadway. The snow was banked in a wall down the centre of the thoroughfare, for there were no "white-wings" to carry it away, and up-going and down-going people caught sight of each other only as they passed the side streets. The pictorial art which was most in evidence between the Battery and Grace Church—an art most dear to my childish heart—was that which presented, upon oval panels, giraffes, ostriches, elephants, and all the rest, on the front of Barnum's Museum, big and imposing for its time, upon the site of the present Saint Paul Building. For real art one went away up-town, nearly to Union Square, to Williams & Stevens, or to the pictures in the Düsseldorf gallery, or, while the great exhibition lasted, one fared on to the terminus of 'bus lines, the jumping-off place of Forty-second Street, and the Crystal Palace, where one might visit that cynosure and sensation, the bronze Amazon and Tiger. In those days we strained our eyes across seas toward the promised land, the streets of Düsseldorf and Antwerp, the ateliers of the Latin Quarter, the studios of the Via Margutta. As late as the spring of 1867, William Morris Hunt said to one very young student,—"Go straight to Paris; anything which you learn here you will have to unlearn."

We have changed all that. We have parted with the Italian image-vender's tray, borne upon his head down area steps of brownstone houses, to the negotiation for a plaster woolly lamb

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or a "Little Samuel Woke," have exchanged it for Barbediennes bronzes. We are up to date and the Undines and Kobolds of Düsseldorfers of half a century ago have become the Manets and Monets of to-day; indeed, with some people, Manet is already *demodé*. Our change of heart was first effected along the lines of the least resistance, the sleek porcelain sheep of Verboeckoven were received into our fold before we could tolerate the shaggy real ones of later artists; the little wax maidens of Meyer von Bremen grew in our collections only very gradually into the flesh and blood ones of French canvases. We imported much sculpture, which now seems to all of us less fit for the auctioneer's hammer than for the road-mender's. We grew perhaps by fits and starts, but we *did* grow, and at last swiftly and mightily. William Morris Hunt was wise as well as great in his own generation, when one had "to unlearn American art teaching," but no one would glory more than he, in the fact that to-day our young people may learn in America, as well as in any schools in the world, the spelling and grammar of their art, and may stand as firmly and squarely here upon their technique as ever they could in the streets of Paris. Our landscape school may take its place beside any, and as for portrait-painting, there is an American in London to-day whom Frans Hals, could he come back to us, would call brother, standing shoulder to shoulder with him. And *yet!* though achievement is ours, though momentum has been attained and well directed, though our public is prodigal of purse and praise, *your* fingers, gentlemen, the fingers of the practitioners of that wider art which includes literature and music, are almost as much needed upon the pulse of that same public as they were in the days of mediæval New York aforesaid.

We buy enormously, we praise much, but we also neglect much; we love perhaps not too well, but surely at times not too wisely. We have worn out many fashions in admiration, and in wearing them out we have learned from each, but we have not yet learned steadiness of purpose, or quite acquired the fair-mindedness which should be sheet-anchor to the omnivorous collector we seem destined to become among nations. It is likely that we tire only temporarily of the really good, but we tire often. For a few seasons we will have in music only gods and giants, dragons and swan maidens. Then all at once "La Traviata" or "Lucia" pushes

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"Brünnhilde" out of the saddle, and "Madame Butterfly" sings "Elsa" off the boards. We have gone into and out of phases that may almost be labelled Barbizon School phase; Munich phase of bitumen; Monet phase, of blue shadows; worsted sampler phase of little vibrant streaks of color; Carriere phase, where the house is always on fire, and the family group poses peacefully in a room filling with smoke. In each of these phases is beauty, in some marvellous beauty, but do we not go through them too completely and then abandon them too utterly?

Names have become potent to conjure with, and are growing greater and greater. Hoppners, Romneys, Reynolds, and wonderful to tell Vandykes, Hals, even Rembrandts are almost pouring into the country; fifty years ago so many aeroplanes from the Continent would have hardly seemed more unlikely visitors than these pictures, darlings of collectors in old castles and manors, and coveted by the museums of all Europe.

For in our enthusiasm and our art growth we have waxed so fat and kicked so mightily that we have kicked out the timbers of the dam of protection, so that the frightened amateurs of England and the Continent, who fifty years ago could look down upon us from the height of justified patronage, are proclaiming their apprehension through their press in shrill prophetic cries. Our opportunity, thanks to our great collectors, is indeed splendid, invaluable, and yet the very greatness of it should breed caution.

It is when the magician conjures with his most fascinating material that we most easily forget to watch his sleeves; when he says Rembrandt, how Eckhout and Bol and Flick drop out of our remembrance. And when the scrap surely *is* by the great man how large it looms to us in comparison with the size which it would have assumed for his contemporaries, above all for him. You say that is right, any scraps by certain men are priceless.

Granted, but such men are *very* rare; the personalities which were so divine as to hallow all which came from them are almost more than rare. One may even discount Homer's nodding, to the extent of admitting *that*. Great men do much work which they reject, then comes, let us say, Corot's model (for Corot was a notable example as giver). "I found this sketch behind the coal-box, M. Corot, covered with dirt. May I have it?" "Yes, my child," and so later the public, like the model, begs for it and obtains it, but not, like the model, at the price of a thank you.

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It would probably not be possible to-day for a Homer Martin to watch his canvases selling for twenty-five dollars at an auction, those canvases which now bring thousands; a Millet could not long remain undiscovered, because discovery has grown to mean fortune, and we have cultivated the eyes of lynxes and the noses of hunting-dogs. But we mistake and exaggerate, nevertheless, and often in the direction most opposed to what one would expect. We not only worship the atelier rubbish of the dead artist, we cultivate the idiosyncrasies and mannerisms of the live artist. "But don't you think, Mr. Blashfield," said a lady artist to me, "that Puvis de Chavannes would be much less interesting if he drew better?" I understood her, and knew that she did not mean what she said, but her opinion so enounced could hardly have been useful to pupils. It is just such people as worship the limitations before the potentialities, who wear blinders, and are only held up by the shafts, the shafts of the admiration of the moment, who pave the way for straying in the wrong direction and make the lay public forget those who follow the right road. For such people the accident is the essential, the normal is negligible, and nothing but caviare is worth eating; if they could see a play on a house roof, or in a cellar, they would value it far more highly than in a theatre, they tilt head down at any one who makes a rule and keeps it, and they call all that is not amorphous academic. It is their outcry which imposes upon the great general indifferent public, and which occasionally, when a question of genuine expediency arises, does real harm; to this little group straining for the exotic, it seemed not unreasonable that a dozen cities should surpass New York utterly in provision for exhibitions, and that the current work of the greatest of American producers, New York, should remain unhoused, made it possible even for a daily paper to say the artists are negligible since they have neither money nor political influence. This was in reference to their request for a grant of public land, but can any one imagine such a statement being made about the artists in any European city big or little?

To these people again any Academy, *qua* Academy, is objectionable. They admire eccentricity,—not as a manifestation of possibilities, but just as eccentricity, and to them is coming some day regret for their inculcation of technique as end, not means, and far worse their limitation of technique to manipulation of

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pigment. To cry out against labored canvases, to put on paint in a dashing manner, and cry live Frans Hals and vitality is fine certainly, but it must not be forgotten that the strength of Hals and his vitality, his viability as artist, lie not in the width of his brush strokes, but in the fact that his broad strokes are of the right size and shape and value, and put in exactly the right place.

Yet in spite of exaggerations and what, though it seem almost perversity, we must admit to be sincere if mistaken, the great trend of our art is toward sanity, and a sanity which is become yearly less and less a derivation, more and more an American product.

For the last fifteen years especially we have been moving forward with astonishing swiftness over the field of Art, and as we moved we have to a considerable extent surveyed and levelled and cleared the ground, but there are still unexpected holes in which we trip, quagmires in which we flounder, unsuspected chasms like the sunken road at Waterloo, into which our cavalry charge of enthusiasm tumbles pell-mell, checking all advance till the latter again becomes possible over the bridge of thwarted endeavor made by the bodies of the fallen. All this we expect; decimation and more than decimation of our combatants we must discount, but you can help us. You, the Academy, can be like that marvellous general staff of the German Army; you may not fight the battle of the allied arts yourselves, but you may make it possible for us, the active army, to fight successfully. I am told by those who have travelled in America that the awakening of interest in what we call the arts is almost incredible throughout the length and breadth of the Union. There are exhibitions, permanent and recurrent and ambulant. There are societies for the encouragement of municipal art, of decorative art, of applied art. Senator Newlands has told us that in tiny towns of Nevada and Montana, musical societies work single-heartedly and effectively toward a higher level of culture; all over the country, boys leave the plough for the palette. To the door of my own studio in the Carnegie Building comes a steady stream of young fellows who want to be my assistants for a small salary,—in many cases for no remuneration at all save the instruction to be derived. Blue-aproned girls caked with paint and clay and fired with enthusiasm flock from the schools of the little cities to the schools of the big ones and pass onward overseas until they tell me that in Paris

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the word "art student" has come to mean American girl. This condition is phenomenal; it is going to be alarming if not rightly handled, and to so handle it is our business, and in a wider and higher sense, *your* business, gentlemen of the Academy. The Mill that in the northern story, at the bottom of the ocean, grinds out the salt that savors all the seas, is hardly more active than are our schools in the production of boys and girls in possession of a fair technique. We have high ideals, and with admirable, and I fully believe justifiable, courage, our infant industry asks *not* to be protected, and lets down the bars to foreign art of all kinds. In the welter which is sure for some time at least to follow this wave of enthusiasm, this stream of production from east to west, what need there is of a tribunal such as yours, gentlemen, what need of an arbiter (by no means always elegantiarum)? And you *are* an arbiter which the great universal client called the Public will respect; you are the gods of the machine, the men from higher up, from our Parnassus. In you, that many-headed client has, relatively, confidence; true, you do not in every case rise to the altitude of being first of all business men, but you are scholars, writers; you are thinkers, not unpractical dreamers, and there has not yet been imputed to you as the necessary conditions of greatness, even of genuineness, that you shall never keep your appointments or pay your bills.

Therefore, in the ever-recurring discussion between the Great Public and the great body of artists, if you will throw your authority into the scales for *us*, it shall be as the sword of Brennus to weigh, as the sword of Alexander to cut the Gordian tangle of our difficulties.

And *we* are trained to understand and help each other, so strong are the analogies between our arts. As every French soldier had in his knapsack the possible baton of a Marshal, so every one of us has among his professional tools the potential pass-key to the adytum, the inner sanctuary of the other arts. Among us each man's mystery, as they said in the Middle Ages, may become so clear to his fellows that we all may join hands.

Our Academy and Institute, made up of men who rub against the issues of the day, yet live a kind of cloistered mental life of their own, given to the pursuit of knowledge and the attempt to create beautiful, has more than once reminded me of an excursion which I once made to the great monastery of Monte

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Oliveto Maggiore, sixteen miles above Siena, in the hills. It is nearly empty now, but once it was a microcosm in its activities. There the brothers, the thinkers and writers and recorders of the time, shut up in church and cloister and scriptorium opened their outbuildings to the world, and there, especially upon certain fixed days of festival or council, of papal or imperial progress, the *world* was harbored in the vast courtyard. The latter was a caravansary, where provinces were pigeonholed. The names are still upon the pigeonholes, big bare echoing vaulted rooms with yards for the beasts. Here you read over the entrance, Lombardy, here Tuscany, there and there Genoa, Venice, Romagna. Here the laymen paused for a day from their business and listened to the teaching of those who thought and planned.

And note—and here is my point towards which we have journeyed among the Tuscan hills—note that this was neutral ground, the territory not only of the church, but of the arts.

Perhaps while the monastery courtyard held these people safe and quiet, outside there was fighting; very likely while Lombards and Venetians were cooking their meals or foddering their beasts with only a party wall between them, Lombardy and Venetia were cutting each other's throats. But with the quarrelsome laymen there entered one group of people who were not quarrelsome, and whose names were entered upon the lists of the major crafts. They were the artists, the architects, sculptors, painters, sure of a warm welcome from their tonsured hosts who were artists also, poets, musicians, historians, calligraphers, illuminators.

And the power of these artists went afield; if within the monastery was the truce of God, the artist as far as his personal security went, carried the truce of God *with* him. Through the fourteenth century, Italy was a battle-field, but Giotto and his painters, Giovanni Pisano and his sculptors, Arnolfe and his architects, went up and down the battle-field unharmed, and entered through the breached walls of cities to paint allegorical pictures of the blessings of Peace in the Town Halls.

And these artists were a little band of men, knit together as we *should* be now, by the closest bonds of interdependence and mutual comprehension. They understood each other's specialties, and in the days when Dante tried to draw an angel, or later when Raphael scrawled rhymes for sonnets on the backs of his studies, the artist was ambidexterous, holding the chisel in one hand, the

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brush in the other, and taking up now and again lute or pen or compass.

The world calls artists jealous (I use the word "artists" in its largest sense), but a better freemasonry has existed among us for eighteen hundred years than anywhere else outside the church, and our freemasonry dates from before Christianity. To-day is like yesterday; war, commercial war, is bitter all about us. We are neutral, and if the ideal enlightened layman needs a breathing-spell he interests himself in helping a museum or backing the improvement of a city's topographical ordering. He joins hands with us for *our* good and *his* good, and everybody's good, and yet—we speak a language of our own—and there are times when we belong together, and only together. We need the contact of the world too, that is certain, and if, like the monks aforesaid, we each of us withdraw into our individual cell during the period of meditation, later we must (like them again) work altogether in the monastery garden's sunshine for our mental health. I do not mean that we should confuse our works, but that they should proceed *pari passu* under the general mutual stimulating influence. A picture does not look better because it is called a Nocturne, nor does a musical movement seem more lovely, to me at least, because it is called a Study in some color or other. There are people who tell me that names mean colors to them; that Lucy is pink, and Mary blue, and Jane brown, and so on. I am not subtle enough for that. But we *do* have our signs that pass current among us only. We have much to say to each other that we are not ready to say to other men until our work is complete and fit for presentation. When Babel was building and the confusion of tongues came upon man, two languages remained common to all—the language of the emotions and *our* language—that of the arts. This latter tongue spoken intimately among ourselves is understood broadly by all. By reason of this latter possession, we, the writers, musicians, architects, sculptors, painters, if but struck aright, sound in the great symphony of the world's activities as one harmonious chord. By reason of it the artist is a citizen of the world, at home *urbi et orbi*.

EDWIN HOWLAND BLASHFIELD.

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RAILROAD ACCOUNTING IN AMERICA VS. ENGLAND.

BY W. M. ACWORTH.

"ONE touch of nature makes the whole world kin," and England and America have not a few touches of nature in common between them. The English Motor-Car Act passed in 1903 provides, as not a few Americans know, to their cost, that any one driving a motor-car at a speed exceeding twenty miles per hour shall be guilty of an offence against the law and liable to a substantial fine. This provision is, I believe, in itself entirely reasonable. When people drive at an improper speed they ought to be punished, and it is much easier to prove in a police court by precise sworn evidence that a man has exceeded a definite speed limit, which is a positive fact, than that his speed was improper under all the circumstances, which, after all, is matter of opinion. But for such a law to work satisfactorily it must be administered with discretion, and that discretion has been sadly wanting. Every reasoning being knows that to drive at thirty or forty miles an hour on an open, empty road does no harm and causes no risk to any human soul. Though a technical offence against the law, it is not an offence against the spirit of the law, the object of which is to protect the safety and comfort of other users of the road and not to create a new technical offence. Yet under this provision as to maximum speed thousands of motorists have been brought up in police courts and fined for doing what every motorist, from Cabinet Ministers downwards, does every day of his life—exceeding the speed limit on open, empty roads. And we are being taught to regard the policeman as our enemy, and to feel ourselves habitual lawbreakers. And surely this does not make for good citizenship or a respect for law.

My readers will wonder what all this story about English

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motorists has to do with America and American railways. In reply I would refer them to an Act of Congress passed on June 29th, 1906, and intituled "An Act to Amend the Act to Regulate Commerce of 1887," but more commonly known as the Hepburn Act. Section 7 of that Act authorizes the Interstate Commerce Commission to require annual reports from all common carriers and to prescribe the manner in which such reports shall be made, and further provides that any person in the employment of a common carrier who shall keep any other accounts, records or memoranda than those prescribed or approved by the Commission shall be guilty of a misdemeanor and liable to fine and imprisonment. Once more, in my opinion, if I may be allowed to say so, an entirely reasonable provision. That full and adequate accounts should be kept by every railway company and made available in print to shareholders, both actual and potential, to Government authorities, and to the public at large, is a point on which all reasonable people in the United States are, I believe, entirely agreed. And I have never met a single railway man who ventured to maintain a contrary view. Further, everybody goes farther and agrees that half the value of the reports would be lost, if they were not comparable; and that therefore all reports must be constructed on the same framework or otherwise possibility of comparison would be destroyed. And to secure uniformity an authority outside and above any individual railroad, and possessing powers of compulsion, is evidently required. As I personally have been striving for nearly twenty years to obtain from our English railway companies fuller information and more uniformity in their accounts, I am naturally in agreement with American opinion.

But there is a wise French proverb which says, "*Il y a qui est plus sage que tout le monde—c'est tout le monde,*" or, if I may translate freely, "There is somebody wiser than anybody, and that is everybody." Railroad accounting is, like other sciences, a progressive one. And I can hardly believe that all the intelligence and all the ability of the whole railway accounting profession in America can be boiled down and distilled through the offices of the Interstate Commerce Commission in Washington. And if no one may keep books without the express permission of the Interstate Commerce Commission, it means that no improvement in accountancy methods can be introduced anywhere

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in the States till it has obtained the counter-signature of an official at Washington. As I have said, the provision is an excellent one, provided it be employed in the manner really intended by the legislators who enacted it.

Everybody knows why this provision found its way into the Act. It was to put a stop to the practice of rebating. Cases had occurred where in the ordinary accounts of the company traffic was charged at published legal rates, while private books existed showing the reduced rates that were actually charged by secret agreement. If anybody ever did defend such practices, no one defends them now. The railway companies themselves have more interest than anybody else in killing them and seeing that they "stay dead." If any one is found in the future keeping duplicate books in order to cover up secret and illegal and immoral rebates, by all means let him be prosecuted with the utmost rigor of the law. That is the real object for which the section was enacted, an object which must have the entire approval of all good citizens. But to enforce the section in its literal meaning in all cases, where there is no suggestion of dishonesty and no suspicion of covering up illegal or improper practices, would be just as unwise as have been the proceedings under the Motor-Car Act in England. The result can only be with you, as it has been with us, to check progress and to introduce friction and distrust between the authorities who have to administer the law and the citizens who have to work under it from day to day, and who ought to be naturally, as having most experience, its heartiest supporters.

I have said that the effect must be to introduce friction. But indeed I see, from not a few newspapers which reach me from America, that friction has already arisen. Now every one conversant with American railway accounts knows that in the last twenty years they have improved out of all recognition in fulness, in accuracy, in lucidity and in uniformity and comparability, if I may coin a word; and no small part of that improvement has been due to the close and cordial relations that have always, as far as I know, existed between the Association of American Railway Accounting Officers and the Statistical Bureau of the Interstate Commerce Commission. It would be worth sacrificing a good deal of technicality for the sake of preserving that harmony unimpaired. But the curious thing in this case is the question as to which controversy has arisen. One could imagine

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a poor and struggling railroad, or a railroad which had hitherto made a showing in its balance-sheet better than the actual facts would justify, fighting against the introduction of a form of accounts which exposed its nakedness to the public gaze. But the reverse is the case, and it is the most conservatively managed railways which are denouncing the method of accounting prescribed by the Commission as being contrary to all principles of sound finance.

It is not for one who is neither an American citizen nor a trained accountant to attempt to decide the issue. But as it is asserted by those who object to the ruling of the Interstate Commerce Commission which, as I read it, requires railway companies to charge all expenditure for additions and betterments to the account of "property owned as investment" and no longer to charge any portion of such expenditure against income or profit and loss, that this ruling will tend to promote the adoption on American railroads of our English practice, and that such practice has led to grave financial difficulty here, perhaps I may say a word as to what English practice really has been and how the matter strikes an English observer. When I speak of English practice, I do not mean the practice of struggling, semi-bankrupt companies, forced by necessity to financial expedients that they would gladly have avoided, but the practice of great and wealthy companies. The recognized American principle has been so far as possible to charge to capital only such additions as increase the earning power of the property. I should define the corresponding English practice as being to charge to capital all actual additions to the corpus of the property, regardless of the fact whether they are income-earning or not. For example, when a station is rebuilt because it has grown too small, the whole of the excess cost beyond the sum at which the old station stood in the books is normally charged to capital. And similarly, when continuous automatic brakes were first attached to our passenger equipment, that was charged against capital; or again, where gas or electric-light fittings were introduced in place of the old oil-lamps. This has been done quite openly and deliberately; directors have justified it and shareholders have approved it. Whether it has been wise finance in the interests of shareholders themselves is another question. I remember discussing the matter some ten years ago with the chairman of one of our great

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railways. I maintained that in the long run the real question was, not what a property has honestly cost, but what is it worth at any given moment; in other words, what is its earning power? And I asserted that if new capital was spent, irrespective of its possessing new earning power, the effect must in the long run be impaired dividends and lower financial standing. My friend justified the accepted railway practice, apparently on the ground that a railway company was in a special position, and that the practice was of long standing. But he ended with these words: "I admit that, if an ordinary business concern acted on the same principles, it would come to the Bankruptcy Court within two generations." Since this conversation took place, what I ventured to foretell has actually happened. My friend's railway has almost ceased to pay dividends. And on all our railways dividends have fallen, and the value of railway investment has fallen in even greater proportion than the dividends. For the fear of a further decrease is at present, rightly or wrongly, stronger in the mind of the would-be investor than hope of an increase.

For myself, I can see no difference between railways and other businesses, except in one respect. If an ordinary business, manufacturing or commercial, gets into difficulties or goes under, because its capital account has become unwieldy the shareholders will no doubt suffer, but to the public at large it makes little difference. Not so with a railway. If a railway company has exhausted its credit, cannot raise money for new extensions, cannot afford to improve facilities or reduce rates, every member of the public all along its lines suffers and continues to suffer. There is, therefore, a clear public interest that railway companies should be strong financially, and in order that they may be strong they must, as it seems to me, not only write off out of annual income cost of actual replacements of property, but also make ample provision for obsolescence (which means diminished earning power) of property not worn out, and also for the contingency that the property or portions of it may cease to earn dividends altogether. To illustrate this last point. A branch is built to develop coal lands and does well. In five-and-twenty years the coal is worked out and the bulk of the population leaves the neighborhood. But the branch must continue to be operated, though it has ceased to earn any interest on its capital, perhaps

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does not even pay working expenses, and certainly would never have been built for the sake of the scanty traffic that still remains. And as it is evidently not practicable for a railway company to repay to its shareholders a portion of its capital each year under this head, and it would not be business to place it as an accumulating fund in a bank, the natural thing to do seems to be to invest this fund in such additions to the property as are likely to earn new income to offset the loss of income from property which, though still existing and standing at its full capital cost in the books, has ceased to earn dividends.

Perhaps it is worth while elaborating a little further the meaning of obsolescence as applied to railway property. In railway work, as in any other business, plant has to be discarded, which means that it ceases to be dividend-earning, not because it is worn out in a physical sense, but because it has fallen below the standard of modern requirements. Take, for instance, the case of a station; the great railroads are constantly tearing down and rebuilding stations, not because from an operating point of view they are inadequate for their work, but because they are mean buildings and the citizens consider that the importance of their town entitles them to something more commodious and dignified. For the same reason passenger cars, still perfectly roadworthy, are constantly being replaced by stronger, more spacious and better-lighted vehicles. Or, again, a railroad has only a single track; if railroad convenience only were considered, all the traffic offering in the twenty-four hours could be moved without difficulty over that single track; but the public resent the inevitable delays to trains at crossing points, and claim that passenger trains shall be run at fast speed and at the most convenient hours, regardless how far their claim conflicts with the railroad man's natural desire to work his plant to the maximum capacity. All these cases are instances where new money has to be spent for purposes which in one sense are capital purposes, but which in another sense are not capital purposes, because they add little or nothing to the dividend-earning capacity of the road. On the other hand, although such expenditure does not bring in new revenue, it is yet in the interests of the shareholders that it should be incurred. For if a railroad fails to keep its plant up to date, it will arrest development in its own territory even if that territory is non-competitive; while if the territory is com-

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petitive, it will suffer direct loss of traffic to a rival and more up-to-date road.

We sometimes hear in England an argument which I have never heard advanced in the States, that the shareholder for the time being is entitled to all the profit that his property earns while he holds it; that it is not reasonable that he should pay to enhance the value of the property of the next generation. As between present and future shareholders there may be a good deal to say for this view, though it seems to imply that each shareholder will be wise enough to know the precise time at which it will pay him to desert the water-logged ship. But from the point of view of the public interest, it has nothing to say for itself. What the public interest requires is, not that railways should be run like a gold-mine, paying fat dividends for a few years and then ceasing to pay altogether, but that they should be in a position to pay substantial and steady dividends on into the indefinite future.

We come then to the conclusion that all interests, the interest alike of the public and of the shareholders, are best served by charging freely, not mere repairs and renewals (*i. e.,* depreciation) against the annual income, but also substantial sums for additions and improvements, and, further, for what perhaps might be described as contingencies. In other words, the real test of what part of the gross income is net income is, not whether the physical corpus of the property has been adequately kept up, but whether the earning power of the undertaking as a whole is being maintained. And the moral seems to be that, from an accountant's point of view, it is only after the latter purpose has been adequately secured that there is a real surplus of net income to carry forward into the balance-sheet. From the point of view of publicity, there are doubtless advantages in separating the charges under the head of mere physical replacement from the other classes of expenditure. The real point is that both classes are equally in the nature of things deductions from net income.

Another point may here be noted. All roads are not alike; Massachusetts is not Oklahoma; a road of stable conditions in a built-up territory can face the future with much more certainty than a road in new country where further developments are largely hypothetical. A road mainly dependent upon coal or wheat or cotton is liable to crises far more serious than are likely

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to occur on a road of mixed traffic, where high-class freight and passengers constitute substantial elements of the total receipts. The directors of each road ought, as it seems to me, to be allowed to judge for themselves how to deal with their own special circumstances. They ought to know their own business better than any outside authority can know it. And assuredly no outside authority, even were it possessed of omniscience, could prescribe one uniform rule that would suit the conditions both of Oklahoma and Massachusetts.

As I understand the rule prescribed by the Interstate Commerce Commission, it lays down inflexibly that all expenditure, beyond actual replacement of physical property by other property not more valuable, shall be carried forward into the capital account of the company. The result would seem to be to mix up inextricably expenditure of widely different kinds. Suppose, for example, a company to have created over a series of years out of income what I may call a contingency fund. The fund has grown large, the prosperity of the company goes on without check and the contingency fund is not required. No one could then dispute the abstract right of the company to distribute the fund, or a portion of it, among its shareholders in the shape either of a bonus or of new shares issued without payment. It would be just as though a steamship company declared a bonus from surplus insurance funds. On the other hand, no one surely would justify the capitalization or distribution of money spent on what I may call extra maintenance. Let me give an actual instance from pretty recent history. An American railroad not many years ago charged to capital the extra cost of replacing pine wood by hard wood ties. That railroad—it is fair to say that it was managed by a Finance Committee sitting in London—is now in a receiver's hands. But American railroad men prophesied its future destiny when they saw the entry in the accounts at the time.

This whole question of railway accounts, addition and betterment, depreciation and the like, has been much under discussion recently in England as well as in America. Three years ago the Board of Trade, which is the Department of our Government responsible for the control of the railways, appointed a committee, of which I was a member, to consider the matter. As our chairman was the Deputy Governor of the Bank of England, it is

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perhaps safe to say that the requirements of prudent finance were not left out of consideration by the committee in its deliberations. The conclusion at which we unanimously arrived—I do not say that we were necessarily right—was that each company was entitled to decide for itself what was mere maintenance and what were "betterment and additions." In other words, the proposed new form of accounts under the heading of "Maintenance of Road" deals only with maintenance and says nothing about betterment. The maintenance may be precisely adequate or it may be more or less than adequate. We have contented ourselves with requiring that the money spent under the different headings shall be entered. Whether it is adequate, or more or less than adequate, can be judged by the experts who compare the money spent with the statistical record of the extent of the property to be maintained, and that of the actual work done during the period to which the accounts relate. But the responsibility is left on the shoulders of the directors and officers of the company and we did not suggest that outside authority should intervene in the matter. It is required, however, that the depreciation or suspense accounts, or reserve funds where they exist, shall be set out as well as any dealings with them in the course of the year. Similarly in the General Balance-Sheet, it is proposed that the amount of any insurance, depreciation and reserve funds shall be set out on the one side and any suspense accounts against them on the other side. By this means publicity and uniformity will be secured, but the responsibility of management will rest where, as it seems to me, it ought to rest, on the shoulders of the company itself. As for the capital account of the company, we have provided that the purpose and amount of each new item of expenditure charged to capital shall be given in considerable detail. But if a company chooses to close its capital account, and not merely to build new rolling-stock, but to build a new main line out of revenue, it is fully at liberty to do so, and no mention of such expenditure would then appear in the capital account. On the contrary, in an account headed "Proposed Appropriation of Net Income" we have inserted a heading, "Appropriation to Reserve and Other Special Purposes," with the express object of providing for—I might almost say encouraging—the wiping off of capital requirements by appropriation from the income of the year. I do not think it ever occurred

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to any of us to doubt that what I have heard American railroad men call "ploughing income into the road" was a right and proper policy, whether regarded from the point of view of the shareholders or of the public.

Knowing as I do how important it is for the general welfare that the railroad companies and the different controlling authorities should work hand in hand, and knowing, too, how much that harmony, so far as it has existed in the past, has helped in the development of American railroad practice, and especially of accounting practice, I cannot but hope that before long some modification will be made in the attitude of the Commission to this question. Their present policy seems to me, if I may very respectfully say so, to err in three respects. It tends to arrest development. It divorces power from responsibility. And the power so assumed is being exercised in a direction which is not in the permanent interests either of the railroad shareholder, of the American public or of what I may call sound railway practice.

W. M. ACWORTH.

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MR. NEWBERRY'S NAVAL REFORMS.—II.

BY REAR-ADMIRAL CASPAR F. GOODRICH, U.S.N.

A SUBJECT which early engaged my attention was the prescribed method of conducting correspondence. For example, one day a letter from the Naval Constructor gravely reported to me, as commandant of the navy-yard, "for the information of the Equipment Officer," that steam-launch number so-and-so was ready to receive its wheel ropes, which, under the bureau subdivision of work, the Naval Constructor was forbidden to reeve off and set up. Impatiently I inquired why the Naval Constructor bothered me with such a trifle and why he had not notified the Equipment Officer direct. "It's against the regulations of the yard," was the reply, "and against the regulations of the Navy." Quite true, as a consultation of the authorities clearly showed. Naval Constructor Jones might mention verbally to Equipment Officer Johnson that a particular launch was prepared to receive the latter's attention, but he was forbidden to put this statement on paper except in a formal communication to the commandant. The rule was without exception and strict to the extreme. It had, as results, the piling up on any paper of purely formal endorsements, "Respectfully forwarded, etc."; a serious loss of time; turning the commandant into a distributor of mail; confining him to his desk during the greater part of his time in order that he might affix his signature to wholly trivial documents; and thus preventing his going about and detecting waste of material and slackness in the carrying on of work. Theoretically he was responsible for all that went on at the yard under his command; practically he was debarred from studying the yard's methods and necessities. The condition, preposterous as it appears, was the legacy from a period when the navy was small and when its business could be so

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conducted without detriment or inconvenience. Evidently the time was ripe for a change. As I had no control beyond the limits of my own station, and as I preferred to lay before Mr. Newberry the actual working of a successful plan rather than a recommendation not based on experience, I entered upon an experiment and in July, 1907, ordered my subordinates to correspond direct with business firms and with all officers subject to my command on topics that *already had my own or the department's approval.* This was done for nearly the whole summer quarter of that year. In the fall a complete report was made to the Navy Department, in which a saving of from two to seven days in the transmission of correspondence was satisfactorily established with no drawbacks. Naturally such an economy of labor and time appealed strongly to Mr. Newberry, who called into his counsels the bureau chiefs, all of whom favored the new departure, some suggesting valuable extensions, and he widened the scope of my proposition so that it included features quite beyond my own domain and revolutionized the official correspondence of the navy afloat or ashore. He also granted my request for the elimination of unnecessary signatures on a multitude of reports and returns. Under the new *régime,* the commandant was invariably to receive the original order to perform a piece of work, whether to build a battleship or to repair a leaky condenser. After that, the details were adjusted between the bureaus in Washington and their representatives at the yard. The latter, so far as my own observation goes, were scrupulous in keeping me informed of the progress of work in hand, and with a few insignificant and inadvertent exceptions I never failed to get all the communications which should have come to me or which I cared to see. If there was any deviation from this practice, it was rather in my receiving letters which ought to have gone straight to their ultimate destination. Old habits were hard to break and, again, bureau chiefs and other officials preferred sending me too many papers to incurring the risk of accidentally ignoring me. The objection that the commandant would lose in power and prestige was found to have no basis in fact, rather did he gain through being no longer swamped under a mass of papers. The great undertaking of preparing the battleships for their famous cruise around the world afforded the first severe test of these direct methods of correspondence and proved

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their value beyond peradventure. I doubt, indeed, whether, under the old order, it would have been possible to complete their repairs and alterations in time for the ships to get away on the day fixed for their departure. The president of a large industrial establishment could not do his whole duty by his stockholders and customers under the old regulations governing naval correspondence which, nominally upholding the dignity of the commandant's position, virtually reduced it to the rôle of a mere post-office. It is believed that no other branch of the governments transacts this part of its daily business on such simple lines and that to-day no large corporation has so little of red tape in its clerical branch. A speedier and more sensible mode has not been devised for getting letters to the person for whom intended than this which expedites transit without sacrificing the interest, the prerogative or the responsibility of those in authority.

It would be untrue as well as ungenerous to pretend that I was wholly unaided in this and my other efforts to put schemes of reform in working shape for Mr. Newberry's consideration. Even where, as in this case, the original conception was my own, still more in others where it is difficult to determine to whom to ascribe credit for the initial suggestion, I was greatly indebted to my associates in New York and to friends elsewhere.

My relief from the drudgery of the desk was great and instantaneous. From having daily to sign many hundreds of papers of no consequence I found about forty, on the average, all that really required my name. To their contents I was now at liberty to give the attention and study which their importance demanded. A reduction of clerical force ensued naturally, as well as opportunity to watch the conduct of affairs at the navy-yard, check abuses, stimulate activity and determine how I could carry out Mr. Newberry's views on the subject of simplifying yard organization and methods. To this subject I devoted much thought, endeavoring to ascertain how nearly the ideal might be reached under the peculiar conditions imposed by the nature of things into which I cannot enter here. Some compromise, however regrettable, was imperative in order to achieve the possible. To submit a scheme redistributing all the shops and all their operatives would at this moment have been foolish in itself and embarrassing to my chief. One step at a time seemed

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more prudent, and I had no doubt that even then the general advance would be as rapid as consistent with a healthy growth. Time must be allowed, I saw, for each readjustment, else would the entire machine be dislocated.

My first recommendation was in the nature of a "*ballon d'essai.*" I merely asked authority to have all patterns at the New York yard made in one shop instead of in four shops as hitherto, and to concentrate the necessary tools and employees in that establishment which then was doing two-thirds if not three-fourths of all work of this kind. About six weeks were consumed in my letter's journey through bureaus and back to the Assistant Secretary's office. In the mean while I advised, in addition, that one shop in each case should replace the four paint shops and the five carpenters' shops. Shortly afterwards Mr. Newberry directed further consolidation, merging into one each the three coppersmith shops, three foundries, five blacksmith shops and two plumbers' shops. A notable beginning was thus at once effected in the project of concentrating work and responsibility and of placing our navy-yards on a business-like footing. That this was accomplished without opposition or friction could not be expected. Protests open and protests covert, remonstrances from labor-unions and politicians, gloomy prognostications of inability to cope with future emergency demands, appeals to continue in office foremen and others whose places were eliminated, all these abounded to the no small inconvenience of Mr. Newberry, whose time, in too large measure, was taken up with hearing complaints, discussing them politely and considerately with their bearers and never ceasing to assure the latter that the good work was to go on at all costs. It was, naturally, exceedingly regrettable that men should find their offices abolished after many years' occupancy, but the government's interests were held to be paramount. Injustice to the individual was avoided by throwing open the new foremanship of the consolidated shop to competitive examination, securing the best man available. In these examinations much weight was given to previous performance of duty in order to protect those who could claim long and faithful service. But this was a rude awakening to the sinecurists thrown upon their own resources in a cold unsympathetic world, their only prop, the unwarranted reliance upon the assumed influence of some local boss, being ruthlessly shattered.

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Here for a while consolidation halted, affording an opportunity to perfect minutiæ and to solve the various side questions necessarily aroused by so radical a change.

The bureau system had, as might have been predicted, resulted in the establishment, in each yard department, of its own storehouse where were gathered and kept large quantities of material acquired for its own special needs, which thus became unavailable for general use. Things needed by A were bought for A, even though B had them under his own lock and key in superabundance. That each shop should have a small amount of fittings appropriate to its immediate work is universally admitted, but these should not be in excess of strictly guarded necessities. In these "present-use" stores, as the British call them, time and money are saved, but to hoard material merely because it may possibly be wanted at some future time is indefensible, yet this had occurred on what may almost be termed a vast scale. To bring these outlying stock-rooms to a modest and proper size, to withdraw from them their excess, and to place the latter in the General Store House at the disposition of all yard departments was truly a labor of Hercules, producing much heart-burning in execution. The prevailing practice was not only unauthorized, but it was a direct infraction of the regulation by which Mr. Whitney, when Secretary of the Navy, had created a General Store at each yard. Few of my efforts cost more in time, thought and persistence than this successful attempt to enforce the Department's unequivocal order. Little by little the yard departments disgorged their accumulations and turned back, for the use of all, articles valued, by a conservative estimate, at hundreds of thousands of dollars.

Fundamentally, navy-yards violated one main underlying principle observed in all well-conducted manufacturing concerns, that the man who does any particular piece of work must not himself be the inspector of that work. Both economy and accuracy demand an independent and unprejudiced inspection. The bureau system was here at fault. The bureau would direct something to be done, either in the way of manufacture or of repair. The order would be executed by the bureau's representative at the yard, passed upon by him and by him, of course, pronounced to be good. If it contained errors in quality of material or in workmanship these might be detected after the article made or

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repaired had passed into service, too late, however, to be remedied. The principle here referred to was strongly espoused by Mr. Newberry and was a guide, as will appear, in his subsequent drastic measures.

Another feature of the navy-yard methods was that each yard department kept its own cost sheet, debiting any item with the material used and the labor expended. It was thus possible to manipulate the charges so that a particular job order might not overrun the estimate, the excess at one point being covered by a gain at another. That this happened I am unwilling to aver; but when the costs as reported came habitually within a few dollars or a few cents of the sum allotted such mathematical exactness could not fail to arouse suspicion even if not justified. Moreover, the costs, as thus determined for identical product, were not comparable with those of outside concerns which were obliged to take into account what are known in the industrial world as "overhead charges," including capitalization, interest, insurance, taxes, administration, etc. This phase of the question had early engaged the attention of the Navy Department. My own contribution was the earnest recommendation to establish at my yard a central accounting office independent of the manufacturing shops, which I believed should not be allowed to perform the duty of bookkeeping. As each bureau had its own peculiar forms and processes, my recommendation aimed not only at accuracy, but at simplicity and uniformity. This matter was not lightly to be dealt with, for it involved long study of what outsiders had found beneficial, together with most painstaking search after what was best adapted to the navy's needs. Immediate acceptance of my suggestion was not feasible, but steps were taken at the Department to reach the end that others besides myself had recognized as desirable if not essential. The newspapers have recently noticed the excellent results reached at the Boston navy-yard in carrying out this scheme so warmly urged.

To enumerate all that Mr. Newberry did to introduce business methods would consume far more time and space than are available; one or two instances, however, ought not to be neglected. While rich in returns, they are chiefly notable as illustrating with unusual clearness his manner of regarding questions affecting economy in manufacturing practice. Early in 1908 I called

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his attention to the great variety of tool steel brands asked for by the different navy-yards. At Portsmouth, let us say, "Apple Blossom" was held to be the only kind fit to do its work; at Boston "Peach Blossom" was indispensable; New York, Philadelphia, Norfolk, Mare Island, etc., each demanded its own choice, without which it was maintained suitable results could not be obtained. Now these brands (purposely here given fictitious names) are proprietary. To insist upon any one of them was to disparage others, to shut out competition and to pay a fancy price. As the navy used large quantities of tool steel, one yard in one department alone asking for 80,000 pounds as its annual supply, it appeared to me that by lumping all those demands and establishing exact specifications of the needed chemical composition and physical characteristics better prices and uniform qualities might be secured. Mr. Newberry accepted my suggestion and appointed a "Tool-Steel Board" composed of competent officers drawn from the manufacturing bureaus, who, after exhaustive study, laid down standard specifications for the different varieties needed. The very first "high-speed" tool steel under these specifications was bought for thirty-odd cents a pound, whereas for no better material the price paid had previously ranged between eighty cents and a dollar and a quarter. The Tool-Steel Board went still further and on my advice recommended that all lathe and planer tools for the navy-yards on the east coast be made at one place. Mr. Newberry approved the work of the Tool-Steel Board and established at League Island, Philadelphia, a complete plant capable of furnishing all required standard tools of any size, uniform in shape and temper, and at a commercially cheap rate. Through the consequent closing of tool-rooms at other yards a great economy became possible, for it must be remembered that every yard had as many tool-rooms as it possessed manufacturing departments, all of which were to be abolished, reserving only the means for grinding dulled tools and for making the few infrequent special shapes required for some exceptional job.

The desirability was brought to his notice of doing away with the fixed semiannual allowance of material to ships in commission which had produced a large and costly accumulation of unused articles to encumber their storerooms and in certain cases to deteriorate before wanted. In solving this question, not

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my own lines, but those of the Paymaster-General were followed. To seven battleships selected for experiment a money allotment in lieu of the heretofore list of stores was granted. The reports recently made public show a saving in their cases of about forty-two per cent., which, if extended to the whole Navy, reaches the not inconsiderable sum of about $750,000.

Up-to-date methods of transporting material in the navy-yard were adopted, with periodical deliveries of stores during the day along carefully laid-out routes. Carts and wagons, previously assigned to each yard department for service and often held in idleness "subject to instant call," became things of the past. These measures, apparently insignificant, are worth to the government many thousands of dollars annually. That large private industrial establishments should send representatives to the New York navy-yard to study this phase of the scheme, with a view to copying it, speaks volumes for a really high pitch of efficiency.

These instances briefly touched upon prove the varied nature of the reforms to which Mr. Newberry gave the breath of life, but they do not by any means exhaust the list. Leaving unnoticed many others equally interesting, it is time to take up the great move by which his administration when Secretary of the Navy from December 1st, 1908, to March 4th, 1909, will always be remembered.

The bureau system led to a peculiar and minute yet logical subdivision of work on ships coming to the yard for repairs. For example, a bureau that had to run electric wires could not drill holes in the bulkheads. It must hold back its men until another bureau to which this work belonged exclusively had cut a proper way for it. The rule and the practice created a sort of Brahministic caste, making another bureau's work accursed and unclean. Where a gang of all-round mechanics, if unhampered, could have pierced steel plates, put up conduits, strung wires and pushed the job to a speedy conclusion, the bureau system kept one set of men waiting for another set to get out of the road. Imagine the opportunities for wasting time when three bureaus got to work in the confined space of a gun turret; imagine the disgust of the turret officer, anxious to get his guns and their appurtenances in order, at seeing yard workmen sitting down, unable to proceed until other yard workmen employed by a different bureau should drill a hole in a gun-carriage or in the turret wall.

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A general and coherent supervision was also lacking. No one was responsible for the job as a whole; two, sometimes three, foremen would split it up into parts and be content when their individual share was completed. Usually they pulled together, but by the grace of a spirit of co-operation, not because a common superior was at hand with the club of authority to make them act in harmony.

Evidently the remedy lay in concentrating all mechanical work under one head and in creating a body of expert, disinterested inspectors, both directing head and individual inspectors responsible to the commandant and the latter in turn accountable to the Navy Department. Now this is briefly the essence of the remedy Mr. Newberry applied, as a careful reading of his famous General Order No. 9 and of the explanatory memoranda of January 25th and February 18th, 1909, abundantly proves.

His predecessors had confined their efforts in the direction of navy-yard reform to statements of the case and to recommendations contained in their annual and other reports to the President. They appeared, if the expression may be permitted, to shy at the magnitude of the undertaking, and to look to Congress for enactments covering the exigencies of the situation. Mr. Newberry, on the contrary, found in existing laws and executive sanction all the authority necessary. Relying on these, he had the courage to act where others had only discussed, and on January 25th, 1909, he prescribed that at all navy-yards and stations (except the Washington navy-yard, the Torpedo Station, Proving Ground and Naval Magazines, the exclusive province of the Bureau of Ordnance) all work not involved in the handling of stores, the manufacture of clothing and the preparation and handling of provisions be given to the naval constructor under the direction of the commandant. He abolished the yard manufacturing departments, merging them into one great manufacturing department and made their former heads inspectors of the work in which they were concerned. The Naval Constructor became the manager of the Manufacturing Department. Separate pay-rolls were discontinued and substantially all workmen's names borne on one general roll. The responsibility of the commandant in the control of every department of the yard was reaffirmed; the duties of the inspecting officers clearly set forth; the consolidation of shops by bringing under one roof all ma-

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chinery and apparatus of like nature was authorized and the combination of all separate plants into one industrial plant in accordance with the best commercial methods was enjoined; the execution of work to the satisfaction of the inspectors was positively commanded. These latter were given every possible facility for carrying out their instructions. It became their business to follow up any piece of work through all its stages and wherever executed, to see that everything was done which should be done, and to stop work at once if not properly done.

The inspection of repairs and alterations on board ships in commission was made the responsibility of the commanding officer, who could either discharge it himself or by such of his subordinates as he elected to detail for the purpose. The naval constructor no longer could pass upon his own work; that was to be done by the ship's inspectors in the case of vessels in commission, otherwise by the yard inspectors. These, then, at the risk of repetition, are the broad outlines of Mr. Newberry's scheme—the amalgamation of all manufacturing departments; the creation of an independent body of inspectors; emphasizing the commandant's supreme authority and granting him still wider powers; holding up the best methods and practices in civil life as the goal to be kept always in view; reduction in the number of foremen; simplification of papers and reports; placing of commanding officers and others who required work done in immediate communication and co-operation with those who had to do that work, etc. It is not practicable within the limits of a magazine article to go farther into detail even if this were advantageous. After all, the main result achieved was the destruction of the bureau system at the navy-yards, something once believed to be absolutely impossible.

One feature of Mr. Newberry's plan was more productive of criticism and censure than all the rest combined. By making the naval constructor *ipso facto* manager of the Manufacturing Department he, of course unintentionally, revived in full force the always present, if dormant, line and staff controversy. The line, as a body, resented this concentration of authority in the hands of the constructors, whom it believed already too powerful. Personally, as a line officer, deeply imbued with line traditions and prejudices, I shared this regret, and I wished that the Secretary had not limited his choice of a manager of the Manu-

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facturing Department to one corps, but had left himself free to appoint to that place the officer from any corps best fitted to fill it. My predilection would naturally have been a competent line officer. Doubtless had Mr. Newberry possessed the time for experiment, he would have asked opinions on this score and have given them due weight, but time was lacking. It was only about the middle of January when he received the executive sanction, and his term of office was to expire on March 4th. What was to be done must be done quickly or not at all. Is he to be seriously blamed for seizing the tool readiest at hand and for making it to the interest and credit of the strong and able construction corps to push his plan into immediate operation? Feeling that his project was for the good of the whole service and not for his own glorification, how could he have justified to himself the refusal to adopt the one means by which he could secure that prompt and vigorous action which the case required? Furthermore, he may have thought that the constructors were, all things considered, the persons most available and best adapted for this duty, for, as permanently shore-keeping officers, they could be thoroughly trained in that most difficult art—shop management—and thus be enabled to achieve the greatest economy and rapidity of work. In any event, it was incumbent on all concerned to obey cheerfully the Department's and the President's order, no matter what their individual opinions may have been. To act otherwise would be abhorrent to the very spirit of a military organization and fatal to its discipline. I hold no brief for Mr. Newberry, greatly as I admire his character and achievements, and I write without his knowledge, so that I may not correctly interpret the workings of his mind, but I am quite confident that I am not far wrong in my speculations as to the probable reasons for his action and the changes he might have deemed it expedient later to introduce. There is nothing in his orders on the subject hinting at finality. What experience should prove to be desirable in non-essentials would find a ready welcome, but the main objects, economy and responsibility, must always be kept in view. Details might be changed; indeed, the necessity for such changes was admitted as more than likely. Never was a plan so wide-reaching and momentous in its consequences promulgated with so frank a recognition of its deficiencies in smaller particulars.

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The paramount control of the commandant received especial emphasis. Nothing within the yard could take place without his sanction. Every step in establishing the new order was done by his positive command or consent. The instructions to his subordinates by the manager of the Manufacturing Department received the commandant's careful consideration in advance and were only issued "by the commandant's direction." He laid down the rules to govern the various inspectors and the interrelation of the different branches of the yard, the paymaster's office, the storehouse, the inspection of supplies, etc. Surely subordination to the responsible head could go no farther. If a commandant allowed his power to pass out of his hands into those of his juniors it was by his own act. If he chose to abandon any of his prerogatives, it was his doing and not the outcome of the scheme. Blame the weak-kneed commandant, if any such there were, but do not blame a system which made him supreme.

The preliminary partial consolidation had already rendered available for general use much space in the yard buildings. The complete consolidation extended this advantage so that every one had all the space he needed, and thus the yearly requests for new shops and more machinery disappeared automatically. It was held by Mr. Newberry that the existing facilities must be utilized to their fullest before any request for additions would be considered. How great was this gain can be perceived through a comparison of past and present demands for yard "improvements." If anything is asked for now, it will be because of an imperative and justified want impossible otherwise to fill.

The original concentrating of blacksmiths, carpenters, painters and plumbers alone yielded an economy of about $1,000 a month at New York. What the whole Newberry project* will achieve, I cannot say, but the prospect of great savings was already bright on March 4th last. Some there were who estimated it at the cost of a battleship per annum, or, say, ten millions of dollars.

That time was also saved is shown by the instance of the "Chester," whose repairs were started under the old system, but completed under the new. The ship was able to sail at least ten days earlier than the date fixed by the original conditions. Now

* This was written before Mr. Secretary Meyer introduced certain modifications into his predecessor's plan.

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quick work in mechanical operations spells lower cost, as every manufacturer knows. Putting all work into one hand and providing numerous inspectors to follow up the operatives at all stages produced harmony of effort on the one side and eliminated loafing on the other. As one commanding officer said, speaking in enthusiastic terms of the Newberry scheme: "All officers attached to the ship are astonished by the rapidity with which the work is carried on and by the faithfulness of the workmen. I have never before heard a calker's mallet after the whistle blew to knock off." From a captain in Boston the report came that "everything is working well and surprising the Atlantic Fleet."

Formerly when a ship came to a yard for repairs the captain virtually gave up command except as to her personnel. Work might be begun, carried on and finished without his knowledge. The suggestion that his consent ought to be secured before undertaking each item would have been treated as amusing sensitiveness on his part. The ship existed for the benefit of the yard and not, as Mr. Newberry decreed, so far as he could make it, the yard for the benefit of the ship. Speaking of the conditions then prevalent, a captain said: "I found some yard workmen in my cabin one day about to carry off my writing-desk. When I remonstrated and told them that I was satisfied with the desk and didn't want another and asked why they were removing it, anyhow, they replied that it was by the naval constructor's order. And the desk was carted away." If the yard authorities made a point of keeping the captain in touch with repairs contemplated or in progress on his vessel this was a courtesy on their part and not a right on his. Had they not their bureau's commands? It is not, therefore, remarkable that sea-going officers resented being thus ignored and that they were ready to welcome Mr. Newberry's putting ships and yards into their true relations to each other and making the captain absolutely responsible for the character of the work done on his vessel. This must be to his satisfaction or somebody else would suffer. He might, if he desired, perform this duty of inspection by deputy, but the accountability was his alone. His representatives, like the yard inspectors, must stick close to the job from start to finish and follow every part in all the various operations from draughting-room, through pattern-shop, foundry, machine-shop, etc., till in place afloat. If things went badly they might

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(again like the yard inspectors) stop the work at once whether in yard shops or on board ship and report their action to the captain, who would take it up with the manager of the Manufacturing Department. Should the matter not be settled to his liking, the captain could go straight to the commandant, whose decision was final but with appeal only to the Secretary of the Navy.

It is unnecessary to point out the value of these rigid inspections in educating sea-going officers in mechanical processes and thus fitting them to undertake intelligently minor repairs on board ship when remote from a navy-yard.

Every item of repairs authorized to be done on board a ship is set forth on a form known as a "job order." In the old days captains sometimes heard of this form through rumor. Under Mr. Newberry's plan, however, copies of all job orders concerning his command were filed with the captain. These job orders are not general and sweeping, but specific in nature. Manifestly it is not always possible to begin them all at once. You cannot set up the rigging before the mast is stepped or mount a new gun before the old one is removed. In order to keep the ship's officers informed at every stage a yard foreman, when about to take up a new job order, went on board the ship, reported to the lieutenant of the watch (the captain's representative) that he had come for that purpose and requested him to notify the officer designated by the captain as inspector in order that nothing be done contrary to his wishes. Surely the ship's officers could not be treated with greater respect and consideration. For ignorance on the captain's part Mr. Newberry's order as developed by the commandants substituted knowledge; for ill-defined (or no) responsibility a rigid accountability; for neglect of the seagoing officers' interests a frank and hearty invitation to co-operate with the shore people, to scrutinize work done for the ship, and to reject whatever fell short of the proper standard either in material or in workmanship. From being idle lookers-on with no voice and with only the reserved privilege of finding fault too late when a thousand miles from the land the ship's officers were turned into real inspectors clothed with great powers; into judges whose verdict must appear on every completed job order.

In unavoidable lack of a constant watch by an interested su-

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perior the yard workmen under the ancient *régime* had little incentive to steady labor. Theoretically the yard officers and foreman maintained close supervision; practically this was often impossible and industry waxed during their presence and waned during their absence. The introduction of the ships' officers as inspectors wrought a wonderful change. Employees were afraid to idle on board ship lest, reported for misconduct, they be discharged or otherwise disciplined. If they should shirk with impunity the fault would lie with the captain who permitted them to do so.

The encomiums of the seagoing officers, and particularly of the younger men who were able to contrast the new with the old *régimes,* were many and frequent. Some criticisms were heard, as might be expected. No one ever held Mr. Newberry's scheme to be flawless. These strictures related either to some local slackness in carrying out his ideas or to certain of the general lines along which he believed himself obliged to proceed. The increased rapidity of work and the disappearance of friction between jealous and conflicting yard departments were quite universally conceded. In some cases possibly officers found themselves annoyingly restricted in their movements through having to stay on board ship for inspection duty until the yard whistle blew at the end of the employees' day. Let us all hope, as I believe, that these instances of discontent were infrequent. In effecting so radical a departure some sacrifices of prestige and of comfort were unavoidable, but if the navy as a whole truly benefited, none of its members after the first twinge could fail to approve, even if the gain be at his individual cost.

One single advantage of Mr. Newberry's scheme ought to outweigh a host of disadvantages, if such exist. *It is essentially a system for time of war.* On the approach of hostilities the only change in the personnel at navy-yards will be an increase of force; the methods and the managers will remain unaltered.

Public interest in the navy is something of which the navy is proud. It is better to be investigated and criticised than to arouse no attention at all; better for the public which loves the navy and wants it perfect; better for the navy itself which conceals nothing, not even its own shortcomings, secure in its own conscious desire to deserve well of the country. This very frankness has made the navy the target of those omniscient persons

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who in the twinkling of an eye can put to rights everything except their own affairs.

I have candidly described former conditions as I saw them and the measures taken by Mr. Newberry and those associated with him to bring in a better order of things. As candidly I state my earnest belief that no department of the government is as wisely and economically administered as is the navy; that in none is the percentage of waste so small; that in none does there exist so firm a determination to eliminate that small remaining percentage; that none is so free from red tape; that in none do the business and manufacturing methods so nearly approach the best models in civil life; that none so little deserves the monopoly of newspaper and other censure. When the spirit of reform invades other branches of the administration it will be the navy's turn to laugh at its neighbors, now chuckling in unholy glee, for the time is surely coming when the navy will enjoy the distinction of having been the first to set its house in order, impelled thereto by inner conviction of right and not by public clamor or pressure from without. A shining example, it will point the way to the highest attainable efficiency for its colleagues to follow as gracefully and rapidly as they can if they aim to reach the standard which public opinion is beginning to exact of public servants high and low. After all, he laughs best who laughs last.

CASPAR F. GOODRICH.

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MR. HARBEN'S GEORGIA FICTION.

BY W. D. HOWELLS.

PROBABLY each of us is significantly born in this place or that, of one color or another, and Jew, Christian, Moslem, Buddhist or Shintooist, as the case may be. But so far as anything of interest or importance happens from us, we might most of us have come into the world at one place as well as another and under conditions wholly different from those actually attending our nativity. As a matter of fact, vast multitudes of us take our destiny into our own hands at a given period, and defeat whatever were the prenatal designs without apparently disturbing the equilibrium of the cosmos, or seriously interfering with the imaginable purposes of the Deity in creating us native Irish, Germans, Russians or Italians when we become adoptive Americans. But this is in the region of politics or economics, and if we come to look at a man in his relation to æsthetics, we perceive a certain inalienable propriety in his being of this origin rather than that. Not to go abroad for instances, where they abound in the sharper national and racial divisions of Europe, I think we can see good reasons for Mr. Cable deriving from New Orleans, or Joel Chandler Harris from Atlanta, or Miss Murfree (in the mask of Charles Egbert Craddock) from Eastern Tennessee, or Mr. James Whitcomb Riley, Mr. Henry B. Fuller, Mr. George Ade, Miss Edith Wyatt, Mr. Hamlin Garland, Mr. Will Payne, or Mr. Brand Whitlock, and others yet from the Middle West, or Sarah O. Jewett, or Mrs. Wilkins Freeman from New England. If the occurrence of so potently characterizing a Chicagoan as Mr. Robert Herrick at Cambridge must give us pause in the flow of our speculations, it is doubtless to enable us to note the rule in an exception. Certainly in the extraordinary development of local literature among us, ever since the Pacific Slope began to express

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itself in the peculiar colors and cadences of its romances and poets (who were none of them born on its declivities because they were all born too soon), we have to confess an apparent divinity in the geographical distribution of American authorship. I will not go back for proof of my thesis to those great New-Englanders and less New-Yorkers of an earlier generation, who may be imagined looking down with their respective misgivings upon their successors since swarming into print from every school district throughout the country; but I think we can discern in all our decentralized authors a congenital fitness for the work they have done for the life of their different sections. In this sort of work there has seemed to me the highest promise of a national literature and in the devotion, the æsthetic patriotism, if I may reach out for a meaning rather beyond the phrase, I have read the prophecy of something finely and finally American. If the reader will try to think what the state of polite learning (as they used to call it in the eighteenth century) would now be among us, if each of our authors had studied to ignore, as they have each studied to recognize, the value of the character and tradition nearest about them, I believe he will agree with me that we owe everything that we now are in literature to their instinct of vicinage. For my own part I have delighted to find myself at home in every part of the Republic through the truth of these far or near fellow citizens, who made me aware of being, in virtue of my mere Americanism, almost my mere mortality, the friend and neighbor of the people they made me acquainted with.

But there are more intimate reasons yet for my feeling at home in their hospitable pages. It was a good many years ago that I drove away from the station in Chicago with a family party in one of Mr. Fuller's novels and found myself very comfortably akin to them through the reality with which he had ascertained them Middle-Western people; and just the other day, when I was reading the faithful fiction of Mr. Will N. Harben, I was agreeably surprised to find myself rather North-Georgian through a community of many social traits. I perceived how largely the South, at least in its newer and simpler life, had characterized the Middle-Western region where I was born. I met in his stories manners and customs and even ideals which were more familiar to my boyhood than those of the East. But it is of

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contemporary Georgia that Mr. Harben is always writing, and it is the pioneer period still persistent there, but long past in Southern Ohio, that he is always describing, with its wild passions, its fights and frolics, its intensely personalized religious experiences, its beliefs unshaken by modern question, its exaggerated sense of honor. Since my earlier day New England has come in with the arts and letters and transformed my native region out of all likeness to his. New England will go to Georgia, too, in her good time, with something better than child-labor in the factories; she has, in fact, already gone there with industrial schools for the blacks, and no doubt she will bring to the whites humaner ideals and gentler customs than they have evolved for themselves.

Of all our localists, as I may call the type of American writers whom I think the most national, no one has done things more expressive of the life he was born to than Mr. Harben. He was known by his sketches and stories of Northern Georgia before he conceived the notion of portraying his old neighborhoods in the dimensions of that sort of human comedy which every writer attempts sooner or later. But some ten years since he gave a hostage to criticism in fiction of mature stature and manly make, which he has redeemed again and again by his subsequent novels. That first novel, a tale of cruel love and morbid conscience, has been followed by eight others of like dimensions and textures: "Ann Boyd," "Abner Daniel," "The Substitute," "The Georgians," "Pole Baker," "Mam' Linda," "Gilbert Neal" and "The Redemption of Kenneth Galt," all except the last concerned with character racy of the soil and native to the air and sky. I shall first have done with this last in saying that I do not think it comparable to the others; it affects me like a labor done at the suggestion of ill-advised friends who wish their novelist to prove himself capable of higher art than that highest art of all, which is the realization of genuine life on the levels so mistakenly supposed to be low. This is sometimes the erring ambition of the novelist himself, and when he fails in it he fails to his honor and advantage. I am disposed to congratulate Mr. Harben on his failure with the factitious people of his latest fiction; he was built for truer work. At its truest his work is masterly, but I will not say that even in his best novels it is of a sustained mastery. It is apt to falter from a mistaken

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ideal of fiction as something to be kept interesting by abnormal activity of plot, instead of following the vital suggestions of reality. In the world of morals it is not the things which go into a man which defile him or cleanse him, but the things that come out of him; and in the world of imagination it is not what happens to a character, but what happens from him that counts. If Mr. Harben, for instance, could have sustained his story of "Westerfelt" on the level of its opening chapters, he would have created a masterpiece worthy of the great modern Spaniards or Russians, and rare in our besotted Anglo-Saxon fiction, where it is supposed that the actions and not the emotions are the drama. At times throughout he does return to that level, and the tale is always simply faithful to the unsophisticated circumstance of its people; but it is not so constant to it as to merit the praise I should like to give. I could not praise it too much for the strength and courage with which it portrays the anguish of the poor girl who drowns herself, and the bitter hate of the mother for the man who had forgotten rather than slighted her. Afterwards there is something fine in the way the mother's rancor loses itself in her better knowledge of the facts, and the story is bravely true to life in its course away from the tragic beginning to the fortunate ending; a weaker hand might have left it steeped in gloom. Mr. Harben is apt to save himself from the reproach of romanticism by honest dealing with his material when the temptation to dishonesty would be too strong for an art less simple and less wise than his. Where his artificiality comes in is through his obedience to an elder tradition of romance, but there are not many such hints of his reading in his writing. His people talk as if they had not been in books before, and they talk all the more interestingly because they have for the most part not been "in society," or ever will be. They express themselves, without straining for dialect, in the neighborly parlance which their experience and their observation have not transcended, and they express themselves with a fury of fun, of pathos and profanity which is native to their region.

In all countries the Southerner seems to be the same in his difference from the Northerner, but in our own South the average man has been characterized by the habit of slavery, and this habit still lingers, after the fact of slavery, in the violence of the whites towards one another and their obduracy toward the

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negroes. For the most part Mr. Harben's Northern Georgians are of the poor white class, who were not slaveholders, but who seem to have more than halved the slaveholders' contempt and cruelty in their attitude toward the subject race. They are small farmers, who till their own land; they are pioneers; they are backwoodsmen almost in the hunting and trapping stage; they are illicit distillers; they are traders, tending by instinct to the mountain towns, where they enter commercial life, with an ambition for the great business activity of Atlanta, their metropolis. The storekeeper is the plutocrat of the region, not surpassed in social dignity by the lawyer; he is the ultimate equal of the obsolescent aristocrat, the man of old family, without ceasing to be the friend and neighbor of the mountaineer farmer who trades with him and guards a jealous pride even in the toils of mortgage. In all Mr. Harben's stories some type of this mercantile magnate occurs; he is the new force, and very interesting in his relation to the strength of the ancient conservatism. The equality to which he lends himself, and which seems to shape the whole social fabric, is more formal than real, but still it is truer equality than ever pervaded the New England village life. In fact, whatever equality is rife among us in the enormous disparity of fortunes, is from the South rather than the North, where the ideal was always liberty, a barren and effectless thing without equality.

The mountain folk who live in the books of this novelist almost as palpably as in the shadow of their native woods or on the slopes of their rocky hills, in the log cabin of the pioneer times, or the yet ruder and more provisional shack of the first settler, or the unfinished frame house of the universal American farmer, are far simpler people than the village merchants. Their days are divided between killing toil and wild riot, and their virtues are of the same excess as their vices. It is a condition in which religion holds the sway which it seems to have lost elsewhere; the man who is not a church member is a lost soul even in this life; and the preacher is of a mystical power and influence unknown in civilized communities. He is a frequent figure in the stories, and the author has not hesitated to show him sometimes brutal, cruel, in his fanaticism, and sometimes coarse even to the verge of indecency. The passions are lords among these primitive people: avarice, envy, hate, revenge, lust, ambition, rule the men of Mr. Harben's Georgian mountaineers as they rule

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Mr. Phillpotts's Devonshire moormen, and the like sort of virulent pietism passes for religion among both. But there is not wanting to either a depth of conscience, a power of good-will which transforms their creeds to a faith of sublime effect. One notable difference is that the mountaineers know nothing of the corroding doubts of the moormen, who are sometimes turned from Christians to Agnostics by the subtle and far-reaching intimations of modern science. So far as I recall the range of character in Mr. Harben's fiction, there is not even one of the old-fashioned Infidels, such as used to shake the souls of Northern villagers with the terrors of their cynicism. Good and bad are alike believers, and religion, in the absence of education, is the sole check on evil.

It is a check only too feeble when the passions are astir, and especially when the homicidal fury breaks out in the lonely fields or the shabby village streets. Then the old grudges are fought to the death with rifle or pistol, and the point of honor inflamed by real or fancied insult goads kindly men to sudden murder. The sum of bloodshed in these books is perhaps greater than the sum of any other one fact, but it would be unjust to the people among whom it mounts to such awful massacre not to realize, from the author's witness, that they have a real sense of homicide. More than one case of lifelong remorse lends its tragic gloom to his page, and is not the less affecting because it is expressed in natures of primitive simplicity, influenced by faith of child-like implicitness. Such a case is that of Hillyer in "The Substitute," who in early manhood has killed his friend in a flash of drunken frenzy, and who expiates his misdeed by a lifetime of endeavor at reparation, forever prostrating himself to a just and merciless God. The author's divination of the true way out for the wretched man is something uncommonly true and fine in fiction, where questions of the kind are so commonly begged, and his psychological reach over the lowly levels of life to the heights where men live in the spirit is certainly not the less striking because the life is that of common men and women.

Each of his stories moves from some strong central impulse and is in a way, not too obvious, epical. In his diction and in his conception of superficial character he is often prosaic enough, but in his psychological moments he is a poet of genuine quality. He makes no apparent effort to lift his material into a light where it will be more imaginable to readers of a higher

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civilization; you take it on the level where he finds it or not at all. In fact, it is hard to say how much or little he is himself detached from it in his ideals; but it may be a "good fault" of his unconsciousness that he sometimes seems trammelled in his conditions and might be accused of admiring the things that his characters admire. Yet when it comes to any test this ethical sense is unclouded, and he holds the balance between right and wrong with a steady hand. He does not fail of justice to the worst and meanest of the people he portrays, and the effect of his justice is so convincing that you must accept his portrait as a study of conditions uncommon if not unsurpassed in Anglo-Saxon literature.

It is not part of my purpose to instance or analyze his different books. They are of one quality, though not one unvarying quality, such as derives from reality. He seldom loses himself in the factitious, and I should say at a go that he never loses himself in it when he is portraying the character of women. His women are all of a lifelikeness so convincing that you may, or may not, surprise yourself at last in the belief that the redemption of the South from the long delirium of slavery will be through the political importance of women. The recognition of this importance must come everywhere; when it comes to the women of the South, it will find them fitted for their old rights and their new duties as few other women in the world are fitted. The unrivalled freedom of Southern women, in all the avatars of womanhood from girlhood on, has given them power elsewhere unknown, with a trust from men that is almost pathetically entire (save for the jealousy inherent in Southern natures), and exalted by an ideal of chivalry vain and weak enough, but not ignoble. I do not think of any woman in Mr. Harben's fiction who is misimagined or imagined from a false conception of her relation to man. She is often enough in that world, as in this, silly, vain, false, vacillating; but she is also true, brave, good and constant, quite beyond the merit of the men who love her. I should not wish to instance Ann Boyd, in the novel of that name, as a faultlessly heroic character, but it is hard to keep from calling her sublime in the successive developments of her nature, which are always toward the light given her by experience. What one may safely say is that she is a great creature, and if she never was, that she is most worthy to have been

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I say this, reserving my regret that in a last most difficult moment she is lent to the necessities of a melodramatic situation which does not seem to me a necessity of the author.

But, after all, though we may admire and enjoy Mr. Harben's success with individual figures, it is his power of handling conditions and imparting a sense of social situation that is most to be valued. His corner of that strange "new South," which is still for us such a *terra incognita* after our many inquiries and conjectures, is alive with what we feel to be genuine interests and real emotions. The past is shown us interpenetrated not only with the present, but with the future; novel and bold enterprises are turning from dreams to actions, and the people of an antefeudal civilization are seizing their significances with an avidity and strength, and adapting them to their ideals with an eagerness and intelligence not surpassed in communities more consciously modern. Together with these effects are the lingering superstitions and the fading illusions of other days, and often amid the latter-day actualities of Mr. Harben's scene we come upon the affirmations of the mistaken Confederate patriotism, which cannot accept the conclusions it cannot hope to question. This has its pathos, its dignity. At the same time one reflects that even failure cannot consecrate error.

W. D. HOWELLS.

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ENGLAND AND SOCIALISM.

BY BRITANNICUS.

THE London *Times* has recently been publishing some very able and candid articles on the Socialist movement in Great Britain. The series has been less an examination of Socialist tenets than a description, and an extremely interesting one, of the various bodies formed to popularize them—their numbers, strength, propaganda, the pamphlets and newspapers they publish, their lectures, peripatetic vans and street-corner meetings, their successes in electing representatives to seats on local councils and in Parliament, the differences in their respective programmes, the moneys they dispose of; in short the whole machinery of the Socialist campaign. The impression left by the articles is unquestionably that of a large, active, enthusiastic and increasingly successful agitation devoted to Socialist aims. But though they have been widely read and have revealed much that was either unknown or unrealized before, I notice that there has been little or nothing in the nature of a Socialist scare. People have taken them quietly and have passed on to other things.

A year ago their reception would have been very different. A year ago Great Britain was in quite a hubbub over Socialism. It would have made a Frenchman or a German smile to see the avidity with which the ancient formulæ and catchwords, long chewed to death on the Continent, were being handed around in England. The papers were filled with letters and articles on this and that plank in the supposed Socialism platform. No other subject figured so prominently in the speeches of the politicians. Leagues for defending the middle class against an uprising from below, leagues for the protection of property, sprang on every side into merry life. Grave journals were exhorting us to rally round our religion, our hearths, our possessions, our

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families, the throne and the marriage tie; and dukes went about denouncing Socialism as "the vilest of political creeds," "a programme of undiluted atheism, theft and immorality." For the first time the Socialists were getting something like a national audience. For the first time Englishmen heard themselves addressed as "comrades." They were beginning even on the tops of omnibuses to talk with quite a knowing air about "collectivism" and "individualism" and the "State" and what with the Unionists alternately denouncing the Socialists and angling for their votes, with the Liberals vehemently exculpating themselves from the charge of being the secret allies of Socialism, with the Labor men and the Trade Unionists repudiating the Socialists one day and embracing them the next, and with the Socialists themselves shouting their triumphant faith that "the Revolution" had at last arrived—it was no wonder that many nonsensical alarms found greedy acceptance and that the country, like a healthy man smitten with the first sudden symptoms of disease, began asking itself in amazed trepidation what had come over it and how it was all going to end.

But in the last fifteen months things have cooled down considerably, and it is easier now to estimate with some approach to rationality the chances of Socialism succeeding in such a country as England. A dispassionate observer would not, I think, rate them very highly. He would at once perceive that England possesses a dozen safeguards that are non-existent on the Continent, and that Socialism in England has to overcome obstacles the potency of which can scarcely be exaggerated. Among those obstacles the greatest and most permanent is the British national character. As people we dislike large views and suspect short cuts, in politics especially. Our genius for compromise may be merely another term for our genius for stupidity, but it is a great and fundamental fact nevertheless, and it has served us well. We are blessed with a stubborn insensibility to ideas. They do not fire us, they do not even irritate us, we simply ignore them. Our work and our instincts are altogether concrete. Abstractions bore us. We have a pestilential habit of testing all arrangements and institutions by one unvarying formula. We do not ask what is the principle that lies behind them or the theory on which they are based, but simply, Do they work? That is the only kind of logic

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we are acquainted with—the logic, not of ideas, but of experience. It is not at all a bad sort of failing. It has made our historical evolution a placid jog-trot down the middle of the road. It puts us on our guard at once against symmetrical Utopias, annihilating remedies and the political cure-all. It has made us, no doubt, too tolerant of abuses, but it has also enabled us to develop phase by phase a political and social system which alone in Europe has stood the test of centuries. We care nothing for dogmas and everything for their practical results, nothing for definitions and explanations and everything for facts. The thing that is absorbs us; the thing that may be just mildly interests us; on the thing that might be, and especially on the thing that ought to be, we can hardly be induced to waste a moment's thought.

I cannot, in short, imagine a people temperamentally more averse from Socialism or any other "ism." In France, where to be logical is to be statesmanlike, where speculative philosophies and grandiose ideas exercise an almost appalling fascination and are pushed home with inexorable precision, and where the notion prevails that all human affairs can be solved like a problem in algebra, I can well understand that the doctrines of Socialism find a wide acceptance. But in England they are at an almost grotesque disadvantage. We have been educated above them in one sense; we are not educated up to them in another. Every inherited instinct of moderation and "practicality" and of preference for the great thing over the great name, leads us to fight shy of Socialism as a visionary and untried perhaps; while to the idealism that inspires it we are totally inaccessible. That we are capable of idealism we have shown often enough, but always in relation to some specific and immediate issue.

Again, the tradition of individualism is still strong among us. It is not so strong as it was; it weakens in proportion to the increasing sensitiveness of the State to evils that in the past were comfortably ignored; but it is even now a more powerful bulwark than any European people, or indeed any people at all except the Americans, have to offer to Socialism. We have next to none of the paternalism that is bred in the bones of the Latin communities and that has been drilled into the consciousness of the Germans. Our instinct is always to cut free from

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the State instead of leaning on it. We tolerate officialdom, but are very far from reverencing it. We make use of the functionary as a convenient utility, but we do not envy him. The moment Englishmen realize that Socialism is, in effect, the Inquisition in a civic mask they will have nothing to do with it.

The motive-power behind theoretical Socialism, Socialism in the abstract, as one sees it on the Continent, is the longing for a transformed and equitable society. But the motive-power behind Socialism in practice is apt to be mere greed for worldly ease and comforts expressing itself through the media of class consciousness and class hatred. We in England have always been remarkably free from the class-spirit in this form. It has flared for a moment through our tranquil history—at the time of the Reform Bill, for instance, and again during the Chartist struggle—but it has never been, nor is it now, an accepted condition of our social structure. There is, indeed, no European country in which the rungs on the social ladder are so near together or so easily ascended. There are no rigid barriers anywhere, no insurmountable obstacles; the gradients are easy, the approaches open, and the lines between class and class have lost all precision and are wavering and faint almost to the point of obliteration. Class has never been pitted against class in these islands on a scale in any sense comparable to the internecine struggles of the Continent. We have never had our French Revolution. The very alphabet of the class warfare is a foreign tongue to us. Aristocracy, the middle class, the working class, are phrases that suggest less than nothing of hatred or opposition. The "bourgeoisie" as the French use the word has no meaning for us, and no equivalent either in our language or our conditions. Neither has the "proletariat." Nothing could better illustrate the absence of class consciousness among us than that we are obliged to have recourse to some such clumsy expedients as "rich" and "poor" to express our social divisions.

Thus the state of mind in which the propaganda of Socialism finds its readiest response is in England all but non-existent. History has not left it to us as a legacy, and I doubt whether it will be easy to manufacture it by agitation. Compared with most nations, we are miraculously free from provocations to social strife. We have no military caste lording it over the un-uni-

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formed masses and expressing in tone and bearing and conduct its privileged contempt for all civilians. We have no conscription either to discipline or to sour the spirit of our youth. We have no Protection to set town against country and the favored few against the unorganized many. Some strongholds of political privilege still remain to be captured, but their existence and their activities supply none of the fuel for a class conflagration. I am very far from thinking England an ideal country, but I do not know any land where property has been less arrogant and more mindful of its duties, where the sense of social or economic injustice is so weak and restricted, where the various elements in the national structure are more conscious of their interdependence and more animated by a mutual helpfulness, where the abuses of capital have been more wisely restrained by legislation, where political grievances and exasperations are so few and trivial, and where the work of social reform has on the whole gone on so continuously. In Germany where the spirit and privileges of caste display themselves daily in the Administration, in the courts of law, in the army, in the political ascendency of a small stiff-necked clique, and, above all, in the attitude of the average employer towards his employees; in France where the national genius for humanitarianism delights to escape from realities into the clouds—no one seriously thinks that France, a land of peasant proprietors, will ever do anything more momentous than toy with the idea of collectivism; in the United States, where capital is vicious and unrestrained either by law or sentiment, where the black-list and government by injunction and Pinkertons flourish, where factory legislation is still in embryo, and where there is one law for the protection of life to a thousand for the protection of property—in these countries Socialists find a set of conditions far more favorable to their propaganda than any they can hope to discover in England.

Socialism, once more, makes most headway in countries where the political instinct is weakest. This may be, but I do not think it is, a coincidence. It is in any case a fact, and a fact which should comfort the alarmists in England. For in no country is the political instinct more highly developed and nowhere has experience in the workings of Parliamentary institutions been so prolonged and intimate. Continental analogies seem to me in this respect almost wholly misleading. Because Socialism has very

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largely killed the Liberal movement in Germany and Italy, and to some extent in France, it by no means follows that it is going to be equally successful in England. British Liberalism is immeasurably better equipped for self-protection than were ever the timid doctrinaires who assumed its insignia on the Continent. It has a great tradition as one of the governing forces of the country. It has the prestige of problems faced and solved, of high responsibilities splendidly borne, of far-reaching reforms actually accomplished. Moreover, it is still a vital and cohesive body with an established organization behind it, an immense following among all classes of society, and a reasoned confidence that its mandate, so far from being exhausted, has just taken on a new and lengthy lease of life and power. It has never fallen into the hands of amateurs or rhetoricians; it has never got seriously out of touch with national sentiment; its work has been pre-eminently practical and positive; and it has been quick to respond to changing needs and to adjust itself without dislocation to new conditions. That a force so powerful, pliable, sensitive and sensible offers an obstacle to political Socialism such as it has encountered nowhere else must, I think, be very obvious.

But there is another and more immediate barrier in its path. On the Continent Socialism preceded Trade Unionism; in England it has tardily followed it. That is a most vital distinction. In France, for instance, it is the Socialist Party in the Chamber which has the traditions, the organized system and the balance, while the Trade Unions do what they can—it is not very much—to egg it into unpalatable extremes. In England the situation is precisely reversed, the Trade Unions being old, responsible and cautious organizations, while the Socialists by comparison have neither means nor numbers. Trade Unionism in England is essentially a restraining and conservative force directed towards tangible ends. The Socialists, it is true, have succeeded for the time being in capturing it. Although a small minority, they have contrived through their activity, through the political apathy of most Trade Unionists and their absorption in the industrial and provident sides of their organizations, in grafting themselves upon Trade Unionism to an extent that goes far beyond the wishes or intentions of the working classes. This I am convinced will become clearer as time goes on and the inevitable breach widens.

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Nobody seriously doubts that, if the Trade Unionists were fairly polled on the direct issue, there would be an overwhelming majority not only against Socialism, but against any political alliance that enabled the Socialists to use the funds and prestige and organization of the Trade Unions for their propaganda. No one, again, seriously doubts that the working classes as a whole, with their enormous wealth invested in co-operative, friendly, building, provident and other societies, are dead against "the Socialization of the means of production, distribution and exchange."

It passes my comprehension how people who observe the difficulty of reform in England can assume the facility of revolution. They have only to look about them to realize the enormous resources which every vested interest can draw upon when it has to meet attack. Landlords, lawyers and the brewers represent less than a tithe of the resisting power which is at the disposal of property in these islands; yet every one knows what power they possess. The work of reform in England is always arduous and protracted, but never impossible. No interest, however wealthy or however well organized, can permanently withstand the public interest. The whole bent of our political institutions and of our national temperament is to make progress slow, gradual and intermittent, but absolutely sure. The result is a paradox thoroughly characteristic of England. Just as she built up an unexampled Empire without once mentioning the word "World-Politics," so, without a single Socialist in Parliament, with next to no talk of the logic and theory of the ideal State, with little examination of first principles or the ultimate drift of things, she has done more to further social reforms, to protect the interests of Labor, and to make the collective and individual freedom of her people a reality, than any country on earth. There is scarcely a practical project on the programme of Continental Socialism that is not already a commonplace and established fact in England. "After all," writes John Morley in his latest volume of "Miscellanies," "the more or less of State action is only one point in the contest. So far as that goes, what is curious is that England, where Socialism has as a body of doctrine been least in fashion, has in action carried Socialism in its protective and restrictive aspect further than most other countries . . . our progressive income-tax and death-duties with

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their sliding scales—the State arbitrarily equalizing private fortunes by inequalities of public charge—involve an invasion of the rights of individual property, and therefore of individual liberty, that is up to now rejected both in the French Republic and in the American Republic, and that certainly would have made the men of 1789 and 1793 'stare and gasp.'" M. Jaurès and Herr Bebel, if they looked into our Factory Laws, the privileges of our Trade Unions, our Employers' Liability Acts, our co-operators, the activities of our municipalities, and our wage clauses in public contracts, would be inclined, I suspect, to pronounce us Socialists without knowing it.

Nothing, finally, can be more obvious than that Socialism, which everywhere begins as a movement of revolution, everywhere ends as nothing more than a movement of advanced reform. There is not to-day a single country in which the Socialists are able to advocate the collective ownership of land with any hope of winning over the peasant proprietors; and it has been proved time and again that as a political force they are powerless when confronted by the old, elementary factors of race, religion or patriotism. This process of change to which Socialism like any other creed is subject can best, perhaps, be traced in Germany. There the Socialists have thrown overboard pretty nearly all the leading principles with which they started their political life. They are completely submitted to the Parliamentary system. They have tacitly abandoned the idea of an armed revolution by the masses or any other ushering in of the new era by a single cataclysmic stroke. They acknowledge in practice, if not in theory, the virtue of the gradual approach. They have ceased to war on religion. The Klassenkampf in its original form is no longer a weapon in their armory. They co-operate where formerly they banned. They seek to trim and train rather than to uproot. One by one, in fact, the abstractions of the Marxian faith have yielded to the dissolvent of tactical necessities and a wider and more exact knowledge. Ten years hence it is doubtful whether it will be possible to find in the German Reichstag a single Social Democrat who believes, as Marx believed, that the growth of capitalism implies the progressive pauperization of the masses, and that the "big farm" is bound to swallow up the little one. They have had to compromise and make terms with things as they are. Even the theory

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of cosmopolitanism, which was inseparable from the original Socialist movement, has been given up. There is to-day an awakening consciousness that the future of Socialism depends on its acceptance of the idea and the responsibilities of nationality. What, in short, one observes in Germany, and indeed all over the Continent, is that the Socialists of to-day, instead of preaching upheaval and dispossession by force, are steadily concentrating upon the immediate work of material and moral betterment. In their heart of hearts they have accepted the proposition that a capitalist society will indefinitely continue, and have framed their programmes accordingly. Even, therefore, in countries where it finds a congenial soil for its propaganda, modern Socialism is far more Radical than revolutionary. And that the soil of England is not congenial, that England on the contrary is amply and uniquely barricaded against the onset of Socialism in any of its confiscatory guises, I have already suggested and tried to demonstrate.

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THE INTERNAL AND EXTERNAL POWERS OF THE NATIONAL GOVERNMENT.

BY GEORGE SUTHERLAND, U. S. SENATOR, MEMBER OF THE SENATE JUDICIARY.

FROM the formation of the Union to the present day differences of opinion, more or less serious, and more or less acrimonious, have existed concerning the character and authority of the government of the United States, and although a century and a quarter has elapsed since the adoption of the Constitution, and hundreds of decisions have been rendered, and hundreds of books and articles have been written in the effort to elucidate the matter, we are still far from any common agreement respecting many important phases of the subject. That this government is one of *limited* powers, and that absolute power resides nowhere except in the people, no one whose judgment is of any value has ever seriously denied, but as to the nature and extent of the limitation there has always prevailed and there still prevails much diversity of opinion. At one extreme of the controversy have been those who asserted that the government possessed only such powers as were *expressly* conferred by the Constitution strictly construed, and at the other, those who have insisted that the "general welfare" clause, instead of being a limitation upon the taxing power—which it plainly is—constitutes a substantive grant of practically unlimited power. Between those who, upon the one extreme, would put the government of the United States in a constitutional strait-jacket, and those who, on the other hand, would turn it adrift upon a boundless sea of unrestricted power, all varieties and shades of opinion are to be found.

I.

Much of the confusion has resulted from a failure to distinguish

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between our *internal* and our *external* relations—a failure to recognize the difference which, from the structure and character of the American dual political system, must of necessity exist between the Federal powers of the general government, which are exerted in its dealings with the several states and their people, and the national powers which are exerted in its dealings with the outside world. Among ourselves we are many governments and many peoples—to others we are one government and one people. "Toward foreign powers the country has no seam in its garment; it exists in absolute unity as a Nation, and with full and undisputed national resources" (Bancroft—"History of the Constitution").

This difference is apparent not only with reference to the powers which apply exclusively to our foreign relations, but also to certain powers which may be brought into operation both externally and internally. For example, the Constitution confers upon Congress the authority "to regulate commerce with foreign nations, and among the several states," etc. The same *language,* therefore, confers the power to regulate commerce with foreign nations and among the several states, but the *objects* upon which the language operates are different; hence, while the power in the two cases is identical in *terms,* it may be quite different in *scope* and *degree.* The general government in dealing with foreign nations, in its national capacity may entirely prohibit the importation of all commodities, but in dealing with the several states in its Federal capacity it can exercise no such degree of power over transportation from one state to another. This distinction is overlooked or ignored by those advocates of the child labor law (which seeks to deny transportation to goods manufactured in whole or in part by child labor) when they assert that because Congress has prohibited the importation of convict-made goods from foreign countries, it may likewise prohibit the transportation of goods among the several states whenever it disapproves of the way in which such goods originate.

By the Tenth Amendment to the Constitution all powers not delegated to the United States nor prohibited to the States are reserved to the several States or to the people. But the operations of the State governments are confined to their own boundaries, hence, so far as they are concerned, this reservation can have no reference to any power to be exercised externally. The

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result is that as to all domestic matters, certain specified powers are vested in the general government and all others in the various State governments, unless prohibited, in which case they are reserved to the people; while as to foreign matters (with which the States are not competent to deal) all powers must be vested in the general government or reserved to the people. There is, therefore, a very radical difference, in the consequential effect, between withholding from the general government a particular power to deal with internal matters, and withholding authority in a given case over external affairs. In the former, the result of denying a particular power to the general government is not to wholly inhibit its exercise, but, unless affirmatively forbidden, to permit it to be exercised by the States severally. Hence, as the powers of the general government are diminished those of the several State governments are extended. Such powers are not lost, they are only distributed. But the consequence of denying to the general government any specified power over *external* affairs is to preclude its exercise by governmental agency altogether. However beneficial, however necessary, however imperative for the common defence or the general welfare the exercise of such a power may be, *if the general government is prevented from acting, no action can be taken at all.*

It is clear from a consideration of the events leading up to and surrounding the adoption of the Constitution that the primary purpose of the specific enumeration of the powers of the general government over internal matters was to preclude any encroachment of that government upon those powers which it was deemed the State governments should exclusively possess. It was recognized that every power exercised by the general government—which the States were severally competent to exercise—reduced the aggregate of the normal State powers. The effect of the enumeration is, therefore, quite as much to *affirm* the possession of these unenumerated powers to the several States, as it is to *deny* them to the general government. Over its internal affairs the State government possesses every power not delegated to the general government, or prohibited by the Constitution of the United States or the State Constitution. It will, therefore, be seen that, in this way, every power which any government in the world possesses over *its internal* affairs, is vested either in the *United* States or in the *several* States, unless affirmatively pro-

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hibited. Thus every necessary governmental power of this class may be exercised by one agency or the other, and none is lost or held in abeyance by the mere failure, either by oversight or lack of foresight, to grant it affirmatively. Is it not reasonable to conclude that it was likewise within the contemplation of the framers of the Constitution that every necessary and proper power possessed by foreign governments over their *external* affairs should be exercised by the Government of the United States over our external affairs? The fear which was voiced by those who were anxious to limit the powers of the general government was based on their anxiety to preserve the powers of the several States. They were anxious to keep for the people of each State in the fullest measure their right of local self-government, but there was not shown anywhere a disposition to curtail the power of the National government in its external relations. On the contrary, there was clearly manifested a desire to make such power, in the words of the Annapolis recommendation, "adequate to the exigencies of the Union." The Declaration of Independence asserted it when that great instrument declared that the *United* Colonies as free and independent States (that is, as *United* States, not as *separate* States) "have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and *to do all other Acts and Things which Independent States may of right do.*"

And so national sovereignity inhered in the United States from the beginning. Neither the Colonies nor the States which succeeded them ever separately exercised authority over foreign affairs. Prior to the Revolution the Colonies were independent of each other, but all owed common allegiance to the Crown of Great Britain. They were invested with and exercised in subordination to the Crown certain governmental functions of a purely local and internal character, but so far as foreign relations were concerned the Imperial Government exercised plenary authority. When they severed their connection with Great Britain they did not do so as *separate* Colonies, but as the *United* States of America, and they declared not the *several* Colonies, but the *United* Colonies to be free and independent States—not New York, or Georgia, or South Carolina severally—but all the Colonies in their *united and collective capacity*. This declaration was an assertion of, and constituted the first step toward, nationality. Unitedly they fought the War of the Revolution, and

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when success made their declaration an accomplished fact they became in the family of nations not *thirteen* independent sovereignties, but *one sovereign Nation* under the name of the United States of America; and it was this Nation, not the States severally, which was recognized by the governments of the world, and it was to this Nation that all the powers of external sovereignity passed from the Kingdom of Great Britain. These powers were never delegated by the States; they were never possessed by the States, and the States could not delegate something which they did not have. During the period of the Confederation this cardinal fact was to a certain extent obscured, but deductions drawn from the history of that period are of doubtful utility. It was a time of confusion and uncertainty, when the Nation was partially submerged in the dim struggle of the people toward a realization of their own political status. This realization came with the Constitution. But even under the Confederation there were great men, who, seeing through and beyond the mists of local feeling and State prejudice proclaimed the sovereignity of the Nation. Among them was James Wilson, a signer of the Declaration of Independence, one of the framers of the Constitution, a Justice of the Supreme Court of the United States, and who, speaking of the power of Congress under the Articles of the Confederation to incorporate the Bank of North America, said:

"The United States have general rights, general powers, and general obligations, not derived from any particular states, nor from all the particular states, taken separately; but resulting from the union of the whole. . . ."

"To many purposes, the United States are to be considered as one undivided, independent nation; and as possessed of all the rights, and powers, and properties, by the law of nations incident to such."

"Whenever an object occurs, to the direction of which no particular state is competent, the management of it must, of necessity, belong to the United States in Congress assembled. There are many objects of this extended nature. . . ."

"The act of independence was made before the articles of confederation. This act declares that 'these *United Colonies*' (not enumerating them separately) 'are free and independent states; and that, as free and independent states *they* have full power to

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do *all* acts and things which independent states may, of right, do.'"

"The confederation was not intended to weaken or abridge the powers and rights to which the United States were previously entitled. It was not intended to transfer any of those powers or rights to the particular states, or any of them. If, therefore, the power now in question was vested in the United States before the confederation, it continues vested in them still. The confederation clothed the United States with many, though, perhaps, not with sufficient powers; but of none did it disrobe them."

In recognition of the fact that territory belonging to certain of the Colonies had been wrested from Great Britain by the combined efforts of all, this territory was ceded to the United States. This, except as to North Carolina and Georgia, was under the Articles of Confederation and before the Constitution. The Articles of Confederation nowhere recognize the right of the United States to either acquire or govern territory, yet the United States acquired and governed this territory. It could only have been upon the theory that such power resulted from the very fact of nationality.

That all necessary power over external affairs should be vested in the National Government was clearly within the contemplation of the framers of the Constitution. The first paragraph of Mr. Randolph's proposed plan was to the effect that the Articles of Confederation ought to be enlarged so as to accomplish the objects of their institution, namely: "the common defence, security of liberty, and general welfare," and the sixth paragraph declared that the National Legislature "ought to be empowered to enjoy the legislative rights vested in Congress by the Confederation, and, moreover, to legislate in *all* cases to which the *separate* States are *incompetent,* or in which the harmony of the United States will be interrupted by the exercise of individual legislation" (Madison Papers, 5 Elliott's Debates, p. 127). After some discussion this latter paragraph was adopted,* and in this form it was reported to the Convention from the Committee of the Whole.† In the Convention Mr. Sherman proposed to amend it by substituting the words "to make laws binding on the people of the United States in all

* *Ibid.* 139.

† *Ibid.* 190.

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cases which may concern the common interests of the Union; but not to interfere with the government of the individual states in matters of internal police which respect the government of such States only, and wherein the general welfare of the United States is not concerned." But this was rejected. Finally, on motion of Mr. Bedford, it was amended so as to read, "and moreover to legislate in all cases for the general interests of the Union, and also in those to which the states are severally incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual legislation," and in this form it was referred to the Committee of Detail (the word "separately" being substituted for the word "severally") as one of the resolutions *to govern them in the preparation of the Constitution* to be finally submitted to the Convention. It will be seen, therefore, that it was the unanimous opinion of the framers' convention that power should be conferred by the Constitution upon Congress to legislate in *all cases to which the States were severally incompetent.* It does not appear that the members of this convention at any time changed their opinions, and it, therefore, must be assumed that in the judgment of these men who framed the Constitution such power was conferred by that instrument. The declared purpose of the Constitution as stated in the Preamble is "to form a more perfect Union, establish Justice, insure domestic Tranquillity, *provide for the common defence, promote the general welfare,* and secure the Blessings of Liberty to ourselves and our posterity." While it is true that the Preamble cannot be construed as a substantive grant of power, it is valuable as reflecting light upon the powers granted, and the meaning and intent of those who framed and adopted the Constitution. In other words, the Preamble states the ultimate objects to be attained by the establishment of the Constitution, and, among them, to "provide for the common defence and promote the general welfare." These are the *ends* to be attained, the powers conferred upon the government are the *means;* but always the end is more important than the means. With regard to *domestic* matters, if the power is denied to the National Government, the *end* can generally still be attained through the State governments, but with regard to *external* matters, the *end* is wholly denied when the power of realizing it is withheld from the National government. The

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powers of government must be commensurate with the *objects* of government, else only a semi-government has been created. It is clear that the powers of government over all internal matters under the Constitution, which in effect distributes these powers between the Nation and the States, are completely commensurate. Did the founders intend that governmental power over *internal* affairs should be *adequate* and over *external* affairs *inadequate?* Did the framers of the Constitution intend that *complete* governmental authority should exist somewhere for the "common defence" and "general welfare" of the people in their internal relations, but that *complete* governmental power should exist *nowhere* if the menace to these ultimate objects of the Constitution was from external sources? Is it conceivable that a government should be established for the purpose of attaining certain great ends and that any necessary and proper means for realizing them should be withheld? To say that the power is not destroyed but is reserved to the people does not meet the difficulty. Such a reserved power is in effect no power. The people *en masse* cannot make laws—they cannot interpet laws—they cannot execute laws. This is a *representative* government. The people can act only through the Government. A power reserved to the people is not come-at-able; it cannot be translated into action. A power denied to the government is, therefore, a power which is practically non-existent, and must remain non-existent until granted to the government by the tedious and well-nigh impossible process of a constitutional amendment. Such a situation is a good deal like commanding a fire department to put out a conflagration, but forbidding the use of the fire-engine until the populace can be gathered into the town hall and a resolution passed after full debate. The people do not and cannot govern immediately by their own direct action. They can only govern mediately through the representatives whom they designate for the purpose. "The whole people cannot operate the Government any more than the whole of twenty people in an omnibus can drive the horses. Some one must drive, as some one must govern." The framers of the Constitution understood this, and undertook to provide a thoroughgoing scheme of government in which should be vested every necessary and proper power to accomplish the great ends which they declared was their purpose. The Constitution must be construed, if possible, so

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that their expression shall not fall short of their meaning. As to internal matters this is accomplished through the combined powers of the State and National governments. As to external matters, it must be realized, if at all, through the instrumentality of the National government alone. We must assume that no necessary or beneficial power was intentionally withheld in either case, but that the powers reserved to the people were only such as they were capable or desirous of themselves exercising or were unnecessary to the operations of government, or such that their exercise would be of no benefit to the people. The Constitution was made not only for those who adopted it, but for us who live under it, and those who will live under it, please God, for all time to come; not only for the comparatively small affairs of that day, but for the vast affairs of this day, and for the vaster affairs of a future whose greatness and complexity no man can foresee. Like the living garment which clothes the living body, it must continue to clothe the Nation whose living garment it is, or the Nation must become naked and defenceless at some vulnerable point.

The men who made it were deeply versed in the science of government. They distributed *all* necessary authority over domestic affairs, as already pointed out, either to the Nation by enumeration or to the States by non-enumeration. They did not intend to provide less completely for external affairs. They established not only Federal authority, but National authority. They were familiar with the great principles which governed the various nations as political entities, and knew that in the eye of international law every sovereign nation was *ipso facto* equal to every other sovereign nation, and that the highest law of every nation was that of self-preservation. Vattel had written in 1758, and this they read: "Whatever is lawful for one nation is equally lawful for another; and whatever is unjustifiable in the one is equally so in the other." With this knowledge they introduced the United States of America into the family of nations, to be governed by the law of nations. Thus one of the consequences which followed from the fact of nationality was that of national equality, and one of the rights which followed was that of self-preservation, and they could not have intended, with this understanding, to have conferred upon the government less power than was necessary to render this equality and this right of self-pres-

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ervation effectual. The government they instituted and contemplated was that of a fully sovereign nation, possessing and capable of exercising in the *family* of nations every sovereign power which any sovereign government possessed or was capable of exercising under the *law* of nations; unless prohibited or contrary to the fundamental principles upon which the Constitution itself was established. And why should it be otherwise? Why should any citizen of the great Republic, proud of its strength and glory, desire that *his* government should be inferior in power to any government or less potential in ability to act for the benefit of the people or in the upbuilding of their country and institutions? Such governmental authority is less to be feared under our institutions than under those of the great monarchies across the sea, because there the government dictates and the people obey, but here the people command and the government obeys, and in the last analysis it is the people who exercise the power through the government which is the servant and agent of the people. It is time we realized, not in phrases alone, but in fact, that the Government of the United States is perfect in all its limbs, and not a cripple among the full-grown governments of the world.

The construction of the Constitution has undergone a process of progressive evolution. The earlier decisions of the Supreme Court, notably those written by Chief Justice Marshall, laid down the doctrine of the implied powers, and it was held that Congress possessed not only those powers which were expressly conferred, but implied power to pass all legislation necessary to carry them into effect. But from time to time Congress passed laws not referable to or capable of being implied from any one particular express power, and the legislation was upheld if the authority could be deduced from a number of express powers grouped together, or from the sum total of all of them combined. But Congress has from time to time gone beyond even this and passed laws that by no reasoning can be justified under any or all of the express powers, or by virtue of any implication to be drawn therefrom. Some of these acts have been passed upon by the Supreme Court, while others have never been considered by that tribunal. Members of the Court have from time to time broadly announced the doctrine that the general government is one of enumerated powers, and can exercise no authority

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not expressed or implied in the written words of the Constitution, yet some of the decisions can be logically justified only upon the theory that the government possesses certain powers which result from the fact that it is a *National* government and the only government capable of exercising the powers in question. The doctrine is foreshadowed if not stated by Hamilton, when he says: "There are express and implied powers, and the latter are as effectually delegated as the former. There is also another class of powers which may be called *resulting* powers—resulting from the whole mass of the power of government and from the *nature of political society,* rather than as a consequence of any especially enumerated power." There is, for example, no express language in the Constitution conferring upon the Government of the United States the power to acquire additional territory. The question first arose in connection with the Louisiana purchase. Mr Jefferson thought the acquisition unconstitutional. Albert Gallatin, then Secretary of the Treasury, and a statesman and lawyer of great ability, gave it as his opinion that the acquisition was valid, either as an *inherent right* of the United States *as a Nation* to acquire territory, or as a constitutional right under the treaty-making power. It seems to have finally been determined that this acquisition, as well as some others, was justified under the treaty-making power. The United States has acquired other territory as the result of a successful war, and these acquisitions have been justified under the war power of the Constitution. For many years the Supreme Court of the United States contented itself with deciding that the United States might acquire additional territory under one or the other of these powers; but we have acquired additional territory by discovery and occupation. The greater part of Oregon came to us in this way. Some years ago Congress passed an act providing in substance for the acquisition of certain islands valuable for their deposits of guano by virtue of discovery by our citizens and the proclamation of the President. Upon one of these islands some years ago a homicide was committed, and the perpetrators were brought to the United States charged with the offence of murder (Jones *vs.* United States, 137, U. S., 202). The Supreme Court of the United States unanimously held that the Act of Congress was valid, saying:

"By the law of nations, recognized by all civilized States, do-

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minion of new territory may be acquired by discovery and occupation, as well as by cession or conquest; and when citizens or subjects of one nation, in its name, and by its authority or with its assent, take and hold actual, continuous and useful possession (although only for the purpose of carrying on a particular business, such as catching and curing fish, or working mines) of territory unoccupied by any other government or its citizens, the nation to which they belong may exercise such jurisdiction and for such period as it sees fit over territory so acquired. This principle affords ample warrant for the legislation of Congress concerning guano islands."

Then follows a list of references to various authorities on international law, no reference whatever being made to any provision of the Constitution or to any constitutional authority. Here then is at least one case where the Supreme Court has sustained Congress in exercising a power not expressly granted by the Constitution, nor capable of being inferred from any one of the express powers, nor from any group of them, nor from all combined. Manifestly the Act of Congress was a naked usurpation unless it could be justified upon the ground that the government of the United States possesses certain sovereign powers resulting from the *National* status. In other words, the act was *extra*-constitutional. Was it on that account necessarily *un*-constitutional? The Court said not. The law was upheld, as the above quotation from the opinion delivered by Mr. Justice Gray shows, not upon the ground that it was warranted by any *constitutional* provision or implication, but solely upon the ground that it was a power recognized by the principles of *international* law as belonging inherently to every sovereign nation. From this opinion no Justice of the Supreme Court dissented, and no member of that Court has ever dissented, though in subsequent cases some of the Justices have apparently repudiated the doctrine it establishes, and have vigorously denied the possession by the general government of any inherent power, although the assumption of such power constitutes the sole and ultimate justification for the opinion. At the same time, the Court has repeatedly affirmed the authority of the government to acquire additional territory by discovery and occupation, saying that the power was established by the prior decisions of the Court, and that any discussion of its source was unnecessary. Those who

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deny any inherent sovereign power to the general government are, therefore, confronted with this alternative: Either they must deny the correctness of the unanimous decision of the Supreme Court, repeatedly announced—they must deny the power of the government to acquire additional territory by discovery and occupation alone—they must declare that Oregon and all the guano islands are held without right or title, or they must concede an exception to the rule for which they contend; and this exception is not one which proves the rule, but one which destroys it, inasmuch as the rule which they assert is that the general government possesses *no* inherent power whatsoever.

To undertake a comprehensive review of the decisions of the Supreme Court bearing upon the question is impossible within the reasonable limits of a magazine article, and a brief reference to one or two must suffice. The Alien Law (which provoked the so-called Virginia and Kentucky resolutions) was never considered by the Supreme Court, though it was upheld in principle by the decisions sustaining the Chinese exclusion and expulsion acts as being within the "essentisal attributes of sovereignty." The earlier cases upheld the right of *exclusion* under the "accepted maxim of international law, that every sovereign nation has the power, as inherent in sovereignty, and essential to self-preservation, to forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe" (142 U. S. 651, 659).

The later cases affirm the right of *expulsion* as well as *exclusion* upon the same high authority—"the right to exclude or expel all aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace, being an *inherent* and *inalienable* right of every sovereign and independent nation, essential to its safety, its independence, and its welfare" (149 U. S., 698).

Mr. Justice Miller, in United States *vs.* Kagama, 118 U. S. 375, speaking of the power of Congress to govern the Territories, said that it arose not so much from the clause authorizing Congress to dispose of and make rules and regulations for the territory and other property of the United States, as "from the ownership of the country in which the Territories are, and the right of exclusive sovereignty which must exist in the National government, and can be found nowhere else."

In the Legal Tender cases, 12 Wall., 457, Mr. Justice Strong

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said that the adoption of the first ten amendments shows that in the judgment of those who adopted the Constitution there were powers created by it neither expressly specified nor reducible from any one specified power, "but which grew out of the aggregate of powers conferred upon the government *or out of the sovereignty instituted.*" And Mr. Justice Bradley, in the same case, after characterizing the United States as a national government and the only government in this country having the character of nationality, said: "Such being the character of the general government, it seems to be a self-evident proposition that it is invested with all those inherent and implied powers which, at the time of adopting the Constitution, were generally considered to belong to every government as such, and as being essential to the exercise of its functions."

Judge Campbell, for many years a member of the Supreme Court of Michigan, whose historical and legal learning has been seldom excelled in this country, in the case of Van Husen *vs.* Kanouse, 13 Mich., 313, uses the following language: "Under the Constitution of the United States all possible powers must be found in the Union or the States, or else they remain among those reserved rights which the people have retained *as not essential to be vested in any government.* That which is forbidden to the States is not necessarily in the Union, because it may be among the reserved powers. *But if that which is essential to government is prohibited to one it must of necessity be found in the other, and the prohibition in such case on the one side is equivalent to a grant on the other.*"

II.

While maintaining the power of the general government to adequately meet and deal with every *external* situation which affects the general welfare of the *United* States, it is no less essential to maintain the supreme power of the State governments to deal with every question which affects only the *domestic* welfare of the *several* States. As happily expressed by Chief Justice Marshall in Gibbons *vs.* Ogden, 9 Wheat., 195: "The genius and character of the whole government seem to be, that its action is to be applied to all the external concerns of the nation, and to those internal concerns which affect the States generally; but not to those which are completely within a particular State, which

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do not affect other States, and with which it is not necessary to interfere, for the purpose of executing some of the general powers of the government." There is a growing tendency on the part of many of our people to insist that because an evil has become great or wide-spread, and the several States do not deal with it as it should be dealt with—either from lack of desire or lack of ability—the general government as a sort of overlord, should assume the responsibility of correcting it. Reduced to the last analysis, this is the argument of the advocates of the Federal child-labor law. That the employment of immature children is a monstrous evil no properly constituted mind can for a moment doubt, but, when existing in a State, it is an evil the supervision, regulation or suppression of which belongs wholly and exclusively to the State, and not to the general government. It is purely a domestic matter. The general government has been given no authority to legislate respecting the domestic evils which exist within the limits of a State simply because they are monstrous evils, any more than if they existed in France or England. To do so would constitute a clear invasion of the reserved powers of the States, and in its ultimate effect would prove more harmful than the failure of the State to cure its own evils. Once break over the line which separates the State and Federal powers, because the exigency is great, or thought to be great, and the way has been opened for the gradual and insidious, though certain, breaking down of the barrier of separation altogether. If we begin to legislate in such matters upon the ground of exigency we shall end by legislating upon the ground of expediency. If we enter the domain of State control to abolish evils because the States do not act at all we shall remain to regulate and correct because the States do not act as we think they should. Of course no one who has considered the matter insists that Congress has authority to legislate directly to forbid the employment of child labor in the domestic industries of a State, but it is sought to do so indirectly by declaring that any article manufactured in whole or in part by child labor shall be denied the right of interstate transportation. In other words, if a manufacturer of woollen goods in Massachusetts employs a thousand operatives, one of whom is a child of tender years, the employment of that one child (whether sanctioned by the law of the State or not) taints the entire output of the factory, and none of it can be

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transported into another State. The authority for such legislation is supposed to be found in the commerce clause of the Constitution giving Congress power to regulate commerce among the several States. No power is given Congress to regulate the relation of master and servant, or to say who shall or who shall not be employed, to prescribe the hours of labor, or to regulate in any way the manufacture of commodities within the limits of a State. The power is to regulate *commerce,* and if under this power, which seems precise and clear, Congress may control the employment of child labor in a State, there would seem to be no phase of the business of domestic manufacture which it could not in the same way control. It could with equal authority forbid the interstate shipment of goods where the manufacturer employs his servants more than eight hours; where he employs non-union labor or where he does not employ non-union labor; where he employs any Chinese labor or where he declines to employ such labor; or indeed, where he does anything which Congress does not approve or fails to do anything which Congress does approve. Thus a power to regulate *interstate commerce* would be transformed into a power to regulate *domestic manufacture;* and a power to *regulate* commerce into a power to *prohibit* commerce altogether.

It is far better to leave to the people of each State their constitutional right and their constitutional *duty* to deal with their own problems in their own way. To the extent that the general government would assume the responsibility of correcting the evils in a State, the State government would quite likely shirk its own responsibility. With the gradual abridgment of local action would come the gradual loss of local ability. The people of the State would lean more and more upon the National government which is remote from the *locus* of the evil, instead of relying upon themselves who are in close touch with it. Their power would become atrophied from disuse as the muscles of the body become atrophied from lack of exercise. Such a process would inevitably, to a great extent, sap the feeling of local responsibility, and in time the nation itself would become unable to bear up under the multiplicity of duties which it would be compelled to assume. The States are *politically* as well as *geographically* parts of one great governmental organism. To destroy or reduce the vitality of one of these parts would in the end

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reduce the strength of the whole, as the vigor of the human body is lessened by the loss or weakening of one of its limbs. By leaving local evils to the State and National evils to the Nation we shall preserve the harmonious balance contemplated by the Constitution, and in the end solve the problems of society much more effectually than we can ever do by devolving upon one the responsibilities clearly intended for the other.

III.

To epitomize and conclude: The American people, in whom all sovereign authority ultimately resides, have provided as the instrument for the practical expression of this authority a complete governmental system, consisting of the General government and the State governments, and in this system have vested every power necessary to accomplish the constitutionally declared ends of government. Because of the dual character of the agency which exercises the *domestic* sovereignty of the people the line between the State and Federal powers has been carefully drawn and must be rigidly observed, but either upon one side of the line or the other plenary governmental power adequate to every exigency will be found. Over *external* matters, however, no residuary powers do or can exist in the several States, and from the necessity of the case all necessary authority must be found in the National government, such authority being expressly conferred or implied from one or more of the express powers, or from all of them combined, or resulting from the very fact of nationality as inherently inseparable therefrom. Thus nothing is added to the general government at the expense of the State, while we are saved the humiliating paradox of an agency constituted to achieve certain complete ends, but vested with incomplete power to do so. If we are to preserve the great governmental system conceived by the Declaration of Independence and perfected by the Constitution, we must realize in feeling and in fact that the rights of the States and the rights of the Nation are not antagonistic, but complementary; and that the usurpation *by* the general government of any State power over local affairs, and the denial *to* the general government of any necessary power over national affairs are equally unfortunate and equally subversive of the spirit of the Constitution, which is the paramount law of State and Nation alike. GEORGE SUTHERLAND.

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THE REPUBLIC AND DIPLOMACY IN FRANCE.

BY ALCIDE EBRAY, FORMERLY FRENCH CONSUL-GENERAL AT NEW YORK.

It is always a delicate matter to write in a foreign periodical on the politics of one's own country; for if you praise your readers are apt to set you down as a braggart or a chauvinist, while if you criticise you run the risk of shocking the susceptibilities of foreigners as well as those of your own countrymen. I admit that in the present instance I should experience some embarrassment if what I am going to say here were to appear anywhere else than in an American periodical. Quite a long experience as a writer on diplomatic questions, supplemented by a short service under the French Foreign Office, has led me to the conviction, especially since the French-German crisis of 1905-06, that the political institutions of France—that is to say, republican institutions as they are understood and practised in that country—lend themselves badly to the carrying on of the foreign policy of a great power. It will be readily understood, therefore, that it is easier for me to explain this to foreign republicans than to any other class of foreigners, and my position will be still better understood when I state—and here I solicit the indulgence of Americans—that a sojourn in the United States has largely contributed to the forming of this conviction concerning the republic and diplomacy in France. Having learned to know that Americans are sensible and not eager for vain flattery, I feel sure at the outset that I shall not displease them if I point out that their democracy is not exempt, as is sometimes supposed in France, from the imperfections which also mar French democracy. This, it seems to me, is especially the case in what concerns home politics, so that I think Gallia and Columbia, admitting sisterhood even in their shortcomings, might

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say of one another, slightly modifying the verse of the Latin poet, "*Non ignara mali, miseræ miserere disco.*"

I am also of the opinion that it will be to the benefit of both Gallia and Columbia to show themselves to one another just as they really are.

I shall now explain as succinctly and as clearly as possible what might be called "the incompatibilities" between the maintenance of the exterior situation of France considered as a great world power and the manner in which republican government is understood and practised by the French people.

Let me first speak of the religious policy of the French Republic, especially as regards its effects abroad. If I had not lived in the United States I might find some little embarrassment in doing this, for I should hold concerning the religious situation in America the erroneous idea often held in Europe—viz., that the United States is essentially, exclusively and jealously Protestant, carrying its attachment to the Reformation to such a point as to be intolerant towards all other sects. But I found a very different America from this, an America having a very strong Catholic minority and treating this minority with a large spirit of tolerance. In fact, I remarked that the anti-Catholic policy of France was not always approved on the other side of the Atlantic even by American Protestants, which is another reason why I can speak more freely thereon to my present readers.

There can no longer be any doubt to-day that there exists in France an irreparable rupture, a complete divorce, between the Republic and Catholicism. At the start this was not so sure, and it was permissible to ask if there was not simply a misunderstanding between Church and State. The Church had taken up a position in opposition to the Republic, but it had done so, it said, only in self-defence, holding that the past plainly showed that the Church could expect only enmity from the republican *régime*, while the Republic, on its side, seemed disposed even as early as 1870 to declare war on the Church, pretending also that it acted on the defensive. So when Leo XIII announced his policy of honestly accepting the republican idea in his relations with France, hoping thus to reconcile the Republic and the Church, he soon perceived that this was a vain dream and that there really existed in France an irreconcilable antinomy between the two powers. Then came the diplomatic rupture between the

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Holy See and the Republic which consummated the official divorce; and from that moment the attitude of the Republic towards Rome has been an open desire to extinguish Catholicism in France in the interests of free thought and materialism, and not with any wish to advance another religious creed.

This last point should be borne in mind, for it is important. In Protestant circles in France and even among some Catholics separated from their Church, and also abroad in Protestant countries, especially in England and Switzerland, the idea prevailed for a time that the French crisis would have as a result the substituting of Protestantism for Catholicism. But almost everywhere this is now recognized as a mistake. In certain clear-sighted Protestant quarters it is even perceived that a free-thinking and totally materialistic France is a danger which a Catholic France did not present.

From an international point of view—the only one that interests us here—this unfortunate religious policy has had this consequence: France has lost in the Catholic world the influence and the prestige which she so long enjoyed there as being the first Catholic power, and has gained no compensating advantage, such, for example, as the sympathy of the Protestant countries. The position which France formerly held in the Catholic world has been assumed either by some other Catholic power like Italy or Austria or by powers which are mainly Protestant, such as Germany, England or even the United States, countries which have adopted in religious matters an eclectic, tolerant course.

As I am addressing myself to American readers I shall limit myself in this connection to certain facts, the full meaning of which they are in a position to grasp easily. Thus, just as it is plain that the religious policy of the French Republic has drawn Alsace-Lorraine nearer to Germany so it has had a tendency to reconcile more and more French Canada to English rule. In the United States it has had the effect of alienating from France all those Catholic elements dominated by Irish influences which were formerly friendly but are now hostile to France. In Latin America, France has also lost ground in so far as that part of the world is still attached to Catholicism. It is not necessary for me to point out who has gained in those parts by the diminishing of French prestige. Americans are too observant and too well placed not to see it for themselves.

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One of the natural results of this French hostility towards Catholicism is the placing of the nation in an unfriendly attitude towards Latinism, for the dominant French republicanism sees a firm link between Latinism and Romanism, so that in order to free itself completely from the latter it is beginning to show a tendency to proscribe the former. Up to the present France has always been the centre, the rallying-point of the Latin world; but now, just as she loses her Catholic primacy, so she finds slipping from her this Latin primacy, which is passing over to Italy, already possessed of strong historic reasons for playing this rôle.

It might be hoped that, under such circumstances, those who are spreading French thought would take especial care to maintain intact the prestige of French influence as against rival influences. But on account of a strange conception of liberty as they imagine it must necessarily spring from republican institutions, they often do just the contrary of what they should do. There is no objection in pointing out to foreigners this weakness, for though by so doing we may be putting a small number of Frenchmen in a bad light, we are serving France herself. It is only too true that many French writers defame France in foreign lands; and as one generally has no interest in defaming oneself, it is not astonishing that the outside world believes what these Frenchmen say. Unfortunately these shortcomings are not due to mere individual faults. If we leave out of the consideration mere speculators in pornographic literature who exist in all countries, we are nevertheless obliged to admit that many writers are sincere in their belief that there is a natural relation between the republican *régime* and a literature that produces a scandal abroad. For preceding *régimes* having often oppressed literature, the contrary *régime* should, logically, emancipate it to the point of unbounded license, even if the good name of France abroad should suffer in consequence.

To these causes of weakness in moral and intellectual France, which spring from the manner in which the republican form of government is practised there, should be added not less depressing ones of a political and administrative order, which we perceive by examining the manner in which is understood from the republican point of view the defence of the exterior interests of the country and how are set to work the measures destined for this defence.

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The difficulties that have been encountered and, in fact, are still encountered in keeping French diplomacy in line with the real needs of the country show how impossible it is in France to conciliate a rational diplomacy with republican institutions. Public opinion, which, under this *régime,* is absolute mistress of home affairs, is also sufficiently powerful in foreign affairs to prevent anything being done of which it does not approve. This public opinion is all the more a determinative factor in French politics because the elements which direct it are kept in the background and are unstable. Then the French President presides but does not govern, which is just the contrary of what happens in the United States, so we cannot expect from that quarter any initiative or act that might give stability or continuity to our diplomacy. The ministers change frequently, and it is not necessary to go very far back in the history of French diplomacy to discover that its course may be totally modified by the politician whom a crisis in home politics places in the Palace on the Quai d'Orsay. With this instability prevailing at the top, it is but natural that public opinion, the logical master in a democracy, should practically become also the governing element even in our diplomacy. But unfortunately French public opinion is not, as a rule, very clear-sighted in diplomatic matters, so that we arrive at this inevitable conclusion—the political *régime* which adopts the republican system is, in so far as this happens, inept to safeguard the foreign interests of France.

I hasten to add that this diplomatic ineptitude of French public opinion is to be attributed to causes which, from a moral and philosophical point of view, one is tempted to congratulate the country on; the French people have never been selfish, though it is generally held that a nation has the right to be so and duty sometimes even demands that it be so. Frenchmen are too apt to sacrifice tangible and practical interests either to altruistic impulses or to political preferences which are really contrary to the true interests of our diplomacy. How often in the past has France sacrificed herself for the well-being of other nations, and to-day she is abandoning sound diplomatic principles in order to attain a political and religious ideal. This mental state of the French nation is the greatest obstacle in the way of the normal advance of our diplomacy. For instance, it is next to impossible to make the French public understand that we should

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seek as allies and friends those who have interests in common with us, rather than those whose political institutions and moral and religious conditions win our admiration. The attitude of political parties and public opinion during recent years have clearly revealed this state of the French mind. It is perfectly evident, however, that for a long time still France should provide against the possible hostility of Germany. What has happened during the past few years must convince even the most optimistic-minded that this is a primordial necessity. We should, therefore, be not only the ally of Russia, but we should also keep up the friendliest relations possible with the Powers, which, under certain circumstances, might become the auxiliaries of Germany, England, Italy and Spain. Yet you will see political parties in France deliberately thwarting this vital diplomatic policy, first in one direction and then in another, and for reasons which have nothing to do with our foreign relations. This very Russian alliance, which is the keystone of our diplomacy, has not escaped the attacks of these persons. All "the advanced" circles of France are hostile to Russia and, consequently, to the Russian alliance, and this simply because they look upon Russia as "an autocratic" country. In 1901 the present Prime Minister of France, M. Briand, spoke in a public meeting against the Tsar's visit to Paris and declared that France "dishonored herself" by being the ally of Russia. During the Russo-Japanese war a most extraordinary state of mind was revealed in some quarters of France where one saw many Frenchmen, for reasons of "liberalism," praying for the defeat of Russia, which defeat brought us to the humiliation of Algeciras! These same "advanced" people do not like Spain because it is a "reactionary" country; they approve of a good understanding with England because this is a nation of a liberal type, and they are friendly with Italy because the Quirinal appears to them to be the foe of the Vatican. They are even dreaming of substituting for the Franco-Russian alliance a triple Anglo-Franco-Italian one. In the French conservative camp you find the same incoherence, but in the opposite direction; their hostility towards England, liberal and Protestant, almost causes them to turn towards Germany, while they hate Italy even more than they do England. Thus, outside of a very narrow circle of professional diplomats and thoughtful individuals nobody seems to be governed by the real interests of

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France herself; whence the difficulty which these professionals and thoughtful persons find in accomplishing something useful in the midst of these incoherent surroundings, especially as no leader stands forth who can act as arbiter. For the moment this diplomatic anarchy seems to be giving place to a little more order. But this is probably only due to the scare produced by the recent threatening attitude of Germany; we shall doubtless fall back.

I come now to the principal reason why the republican *régime* in France is paralyzed when it has to do with the exterior interests of the country. It has come to be an axiom in the French political and Parliamentary world that a war, whether lucky or unlucky for France, would be almost sure to end the Republic. If France won the successful general would sacrifice the Republic to his personal ambition; if the opposite happened, then popular discontent would overturn the present constitution. Gambetta himself has said that the Third Republic's arch enemy is "a Continental armed conflict." My own opinion is that a victorious war would alone be dangerous to the existing *régime*. But I repeat that the prevailing opinion in France is to-day that a war, whatever should be its result, would be fatal to the Republic. It follows, therefore, as an inevitable consequence, that the present *régime* will so conduct itself not only as to prevent the advent of any international complication, even if it should have to yield when it really should stand firm; but should any such complication arise, in spite of the Government's conciliatory efforts, it will go farther and make all the concessions humanly possible and would have recourse to war only when placed in such a position that no other course were possible. Among the most pronounced republicans no one any longer questions the fact that this is the real explanation of the systematic effacement of France in international matters, of her complete abandonment, which is now certain, of the old longing to get Alsace-Lorraine back again, and of the numerous other examples of governmental weaknesses. It is even probable that the Casa Blanca incident in the autumn of 1908 would have been another backdown if the head of the Government at that moment, M. Clémenceau, were not a man of energy and combativeness, who both disliked yielding to Germany and who felt himself more capable than any other leader of protecting the Republic from any of the dangers which might arise from a war.

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To these causes of feebleness, which reflection shows are inherent in the republican form of government as it is understood in France, are others which I wish I could feel were accidental but from which the *régime* does not seem to be able to free itself. I refer to the lack of military preparedness, which, notwithstanding the enormous money sacrifice which the nation makes, is revealed every time the army or navy is needed to meet any foreign difficulty. At the moment of the Fashoda affair we had to give way because the navy was not ready, and at the moment of the Morocco imbroglio it was the army which was lacking. These mishaps and causes for alarm have as a natural result the strengthening of the weak points, but only when it is too late to do any good; and then the administration of the War and Navy Departments soon falls back into the old errors. This was seen in the recent inquiry into the state of the navy ordered by Parliament, when it was discovered that the fleets of France are in as lamentable a state as they were at the time of the Fashoda rebuff and that in case of another sudden danger we would be in the same helpless condition as before. As the normal state of the Government is one of hesitancy lest the *régime* should be endangered, an only too ready ear is lent to the experts who announce that the army or navy, or it may be both, is not prepared to meet the impending attack. But why is it that they are never ready except when it is too late? Everybody is of the same mind as to the cause. It is administrative anarchy. The cabinet ministers, who change frequently and do not hold the same views as to military matters, are not the masters in their own departments, where heads of bureaus often thwart one another and the minister too, while the prevailing confusion is rendered still greater by Parliament taking a hand in the affair. So the nation, which is always so ready to foot the bill for military defence, finds when a cloud appears on the international horizon that it has simply been robbed.

Yet it would seem that in this matter of armament the present *régime* should aim, by means of an improved technical and administrative policy, to counterbalance the effects of another French national infirmity for which this same *régime* is perhaps partly responsible. I refer to the depopulation of the country, one of the misfortunes of France since it has attained to its present proportions and which all competent persons agree in attributing to

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the weakening of our moral and religious ideas, rather than to a falling-off in material well-being. There can be no doubt that the separation of Church and State is partly responsible for depopulation in France. A Government commission appointed to study this question of depopulation suddenly closed its labors when it found that its report would turn to the discredit of the *régime*. From a military point of view depopulation has as its inevitable result a diminution of the number of soldiers, so that to the sixty-five millions of inhabitants whom Germany counts to-day France can oppose but forty millions. As everybody is now practically a soldier in the two countries, Germany can put in the field three men to every two from France. There is all the more reason, therefore, why these two soldiers should be better prepared and trained than the three rival soldiers. But the imperfections of our political *régime* reacting on our military administration makes this impossible.

To the numerical feebleness of the army must be added its moral feebleness due to the dissensions springing from politics. It will be remembered that when General André was Minister of War he made secret inquiries into the religious and political beliefs of the officers. This act, which was severely condemned at the time, was more a manifestation of the moral feebleness just mentioned than its cause. It could not have flourished if the soil had not already been prepared for it. However much the army may strive to hold itself aloof from the politics of the nation, it cannot shut itself off completely from the quarrels raging around it, and these discords are sure to find their way into the barracks. The consequence is that the French army, like the nation, is divided against itself. Furthermore, there is going on throughout the country—the Government's tolerance of this campaign almost approaches to complicity in it—not only an anti-military propaganda, but an organized attack on the idea of patriotism, the effect of which is to weaken the sentiment of duty not only in the soldier and the reserves, but even in the lads soon to enter the army; for it is an admitted and astounding fact that this anti-national propaganda is carried on in the public schools; otherwise it might be attributed to certain arrogant and misled scribblers, to some pseudo-philosophers or even to foreign machinations. But coming from the official educators of the nation, it must be regarded as a sort of madness with which Jupiter

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has inflicted the French people in order to precipitate it to its ruin.

When we seek the causes of the discomfitures and checks which, one after another, have befallen the international policy of France, we are forced to attribute them to the *ensemble* of reasons given above, whose effects, it should be noted, go on increasing rather than diminishing. Furthermore, an impartial observer is forced to recognize the fact that there is a direct connection between this *ensemble* of causes and the republican *régime* as it is understood and practised in France, where, it would seem, nobody wishes to understand it or practise it in any other way. When a people with a logical mind perceives this fact, practical thoughts and conclusions naturally follow. It is not to be wondered at, therefore, that many Frenchmen have been led to ask themselves whether the nation acted wisely in adopting the republican form of government, unless we were also decided to abandon our rank as a great Power and the rôle which pertains thereto. But even among those who believe that a mistake was made very few would favor a change of *régime;* they are rather disposed to be logical in another direction and resign themselves to the idea that France has abandoned the part and the duties of a great Power. The republican leaders led off in this direction by the renunciation of the revenge against Germany which had been kept alive in France since the war of 1870. So completely has the republican party changed its policy in this matter that the inhabitants of Alsace-Lorraine, now clearly perceiving what the future has in store for them, are at present concerned only how best to arrange matters so as to live under these new conditions, which they consider final. Then, having turned their backs on this patriotic idea, these leaders adopt an ever-increasing attitude of reserve and inaction. This is their way of being logical, and it must be admitted that the vast majority of the nation accepts their view.

Most of those Frenchmen—there are still some of this sort left—who will not accept these logical consequences turn towards the example of the United States for comfort and ask why republican France may not make as much out of its *régime,* as regards both home and foreign affairs, as does the great Republic across the sea with its constitution of 1789. I only wish I could say that they are right and encourage them to continue on this line of reasoning. But unfortunately I cannot do so, for I brought

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back with me from my sojourn in the United States the double impression which follows—viz., in the first place, I now see that Frenchmen are often mistaken concerning things political in America, and in the second place the home and foreign politics of the two countries are so different that there is no resemblance between them. And right here I would ask my American readers to be indulgent, which I am sure will be the case, for I am going to say more good than bad of their country, and particularly more good of they themselves than of their institutions.

As regards political and administrative matters, and especially as regards the working of the institutions of the country, I am thoroughly convinced that republican France has nothing to learn from the other side of the Atlantic. I feel perfectly sure that there is more political order and better administration in France than in America and also less corruption among the politicians. The reason for this is not hard to find. From a long practice, extending over several centuries, the machinery of Government has naturally reached a high state of perfection in France, which, of course, could not be the case in a country like the United States, where everything is young and in a perpetual state of formation. Again, in America the best in the nation does not, as a rule, go into public life; politics—at least until very recently—is rather an avocation than a serious business. Yet I think that the American people is in a healthier state than the French people, and this for two reasons. Firstly, in America the State meddles less than in France with the citizens' private interests and so has a weaker hold on national life; individual initiative does well where politics does badly. Secondly, the American people possesses an *ensemble* of good qualities which makes a healthy reaction easier.

Of all these good qualities which I find in the United States the most precious is that Anglo-Saxon spirit which has retained its empire over the nation, though this nation is now composed of elements which are very varied when viewed from an ethnographical standpoint. When applied to politics the Anglo-Saxon spirit is much superior to the Latin spirit, though the latter possesses certain other qualities which the former lacks. Nor should it be forgotten that the American people is always being rejuvenated by emigration, which has made it possible for the nation to preserve a freshness and vigor that an over-civilized and somewhat superannuated people cannot hope to have. And,

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finally, the American State is not laboring, as is the French State, to weaken the foundation of morality by destroying religion, and as all sects are treated in the same friendly spirit on your side of the Atlantic there still exists in American life a moral brake which is disappearing from French life. One may say, therefore, that all that is worth anything in America is due to individuals and to the strength of the reaction which they oppose to the evils emanating from the political institutions of the country. At least this is the way the United States appear to me.

In matters of diplomacy—that is to say, in everything pertaining to foreign affairs—it is still more difficult to establish a comparison between France and the United States. Bearing in mind what I have said above concerning France and also the geographical situation of the American continent, it would be necessary, in order to institute a real assimilation between the two nations, that in the first place the United States, which has eighty millions of inhabitants, should have as neighbors, instead of Canada, which has six millions, and Mexico, which has eight, a Power with one hundred millions, corresponding to Germany, two others with eighty millions each, corresponding to England and Italy, and a fourth with forty corresponding to Spain. The splendid geographical isolation of the United States is, therefore, the essential difference between her and France. It would be necessary, furthermore, that the neighboring Powers be monarchical and military in the European sense of the word, and the United States, while remaining republican, should have this same military organization—that is, not a regular paid army, but "the armed nation" type of military establishment, which is quite a different thing. Still further, all Americans should not accept the existing form of Government, and the Federal Government should be in constant fear of endangering the life of the Constitution if called upon to defend with arms the honor or interests of the country. And, finally, the American people, like the French people, would have to be always conscious of a great military defeat whose memory rendered them timid. All these things would be necessary in order that the French Republic could be compared to the American Republic. But as this is not the case any such comparison is useless and misleading.

ALCIDE EBRAY.

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THE CLAIM FOR "ABSOLUTE FREEDOM" FOR VIVISECTION

BY EDWARD BERDOE, M.R.C.S., L.R.C.P.E.

Two paragraphs recently published side by side in a London paper may serve aptly to illustrate the difference of the attitude in which a large and daily increasing number of thoughtful and intelligent persons assume towards the vexed question of Vivisection. One paragraph dealt with Dr. Doyen's experiment in Paris in transplanting a vein of a live sheep under complete anæsthesia to the leg of a man suffering from arterial aneurism, and thus restoring the circulation and curing the patient. The animal was put to no pain and was killed without any suffering whatever.

If we may legitimately kill animals for food, it could not be wrong to do what Dr. Doyen did. This is the argument used by Mr. Stephen Coleridge and those who agree with him in urging the British Legislature to make it compulsory to prevent all torture in laboratories wherein experiments upon living animals are performed. This is what we mean by legitimate vivisection. In another column of my journal there appeared an account of some experiments in the French navy on the effects of gun-fire at sea, when a number of dogs were confined in the cabin of a battleship which was bombarded to test the effects of the firing on the animals, which were, of course, not under the influence of any anæsthetic. At the conclusion of the experiments it was found that the dogs had been either burned to death, asphyxiated, or driven mad by terror. Those who oppose the torture of animals in the interests of science protest against such use of sentient creatures and, holding it to be immoral, they demand that it should be made illegal. The Vivisectors and those who support them reply that they must be absolved from the charge of cruelty

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by the fact that their experiments are necessary for the advancement of medical science and the good of humanity. Considerable discussion has arisen about the meaning of the term "cruelty," and the Vivisectors repudiate indignantly its application to their work. Webster defines cruelty as "a disposition to give unnecessary pain or distress to others"; "an act which causes extreme suffering without good reason." The experimenters take their stand on this, and claim not only acquittal, but credit. They deny that they are disposed to inflict pain or are pleased at the suffering induced by their operations.

What they do in the interests of their science is "necessary," and although often severe it is held to be sanctified by its objects. The atrocities of the Congo rubber and ivory trade are defended by their perpetrators on the ground of the necessity of compelling the natives to collect a certain amount of rubber, ivory, etc., for the companies which employ them. Rubber is indispensable for a hundred purposes of our daily life; if the natives are indolent their task-masters say they must be compelled to work, and if they neglect to do so they must be punished. The shareholders in these African Companies must have their dividends, and the people must have their rubber, their ivory, and their tapioca. It is the same defence as that of the Vivisectors. "Necessity," said Sir Philip Sidney, "is the victorious rebel of all laws." William Pitt declared that "Necessity is the plea for every infringement of human freedom. It is the argument of tyrants, it is the creed of slaves." The plea of necessity has always been urged by the cruel. The men who have treated the natives of the Congo regions as Mr. Stackpoole has described in "The Pools of Silence," would have done all that the torturers in the Middle Ages did in the name of religion and the law, but what they did conscientiously the Belgian exploiters do for dividends and greed.

The civilized world is, for the most part, indifferent to the abominations of the Congo trade, and is naturally indifferent to the tortures inflicted upon animals in the laboratories of Europe and America. Their indifference in the former case is largely due to ignorance of the facts, in the latter it is due to the high esteem in which medical scientists are held and the difficulty of believing them capable of doing what the costermonger and the man in the street would be ashamed to do.

As the Vivisector works in secret and discourses piously in the

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public press about the beneficence of his occupation and researches, he has no difficulty in obtaining a dispensation to do what he pleases, and he finds plenty of people to believe him when he denounces his opponents as slanderers and maligners of medical progress. The truth about Vivisection is much more readily ascertainable than the facts about the Congo trade. The rubber merchants do not boast of their doings even in their trade journals, but the Vivisectors record the details of their cruel work in professional books and papers. Dr. Crile's terrible experiments upon dogs are set forth in terms which any educated person can understand in his "Experimental Research into Surgical Shock," a well-known work to be found in any medical library. The story of Dr. Rose Bradford's experiments in gradually slicing away the kidneys of forty-nine living dogs which died in periods varying from six to thirty-six days may be found at length in the "Journal of Physiology" (Vol. XXIII., No. 6, 1899). The testimony of Dr. Klein, Medical Officer to the Local Government Board, London, was given to the First Royal Commission on Vivisection to the effect that he had "no regard at all" to the sufferings of the animals he used ("Minutes of Evidence Royal Commission," Q. O. 6,538 to 6,550). The prolonged sufferings inflicted upon dogs, a sheep and a rabbit by Sir T. Lauder Brunton, F.R.S., consequent on injecting digitaline, etc., into their veins is given at length in his work on "Circulation and Respiration" (London, 1906), pp. 103-129. "The Journal of Experimental Medicine," published for the Rockefeller Institute for Medical Research, and issued July 17, 1909, contains an article on "Meningitis," by Martha Wollstein, which consisted in inoculating into the spinal canal of monkeys the Diplococcus which causes experimentally cerebrospinal meningitis, the sufferings inflicted on the creatures by a method of injecting disease germs into their bodies, euphemistically termed "merely the prick of a needle," are set forth in detail, and every medical man knows what suffering is caused in the human subject by this terrible malady. We are often rebuked by our opponents for taking our examples of the cruelties of Vivisection from the works of Claude Bernard, Mantegazza, Majendie, Schiff, Paul Bert, Goltz, Chauveau and other foreign physiologists.

It is not strange that such outspoken accounts of the torture-

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chambers of science as are to be found in the works of these experimenters should be very annoying to English-speaking scientists when translated for use in countries like America and England, where there is a greater detestation of cruelty to animals than exists in the Latin countries, but the crusade against scientific cruelty is prosecuted throughout the world, and it was such men as Majendie and his continental successors in the art of scientific cruelty who introduced it into our own schools of medicine and surgery. If our own experimenters are not so outspoken in their accounts of their researches, it can hardly be that our Vivisectors repudiate the practices of their colleagues, for their spokesman in England—Mr. Stephen Paget—holds up for admiration the name of Majendie to the Bishops and Deans who support his Research Defence Society, and the names of the other continental physiologists referred to above are held in the highest esteem by our English Experimenters. The civilized world is expected to exonerate them from the charge of inhumanity because Harvey vivisected nearly three hundred years ago in his researches on the circulation of the blood, because mosquitoes have been proved to be in some way associated with the transmission of malaria and yellow fever, and the treatment of diphtheria and tuberculosis has been improved—so it is maintained—in consequence of the researches that have led to the introduction of antitoxin and the tuberculin of Dr. Koch. On the strength of such examples we are asked to condone the torture of myriads of animal victims every year, which has resulted in nothing that could by any chance have advanced practical medicine or surgery. Dr. Jacob G. Schurman, President of Cornell University, in an article issued under the auspices of the Committee on Experimental Medicine of the Medical Society of the State of New York (1909), protests against all attempts to regulate experiments on animals—not to prevent them altogether, be it remarked—but to restrict them even in the very modified manner in which the English law interferes with them, and he demands absolute freedom for the investigator. He asks:

"How can he or you or I or any other person, except the investigator himself prescribe, and prescribe in advance, under what circumstances and conditions experiments upon animals are to be carried on? The investigator himself does not know where his research will take him, and few, if any, great discoveries have been made in science in response

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to definite experiments deliberately undertaken for a particular end. Great discoveries in science have generally come by haphazard. 'The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh and whither it goeth'—this is the way of scientific discovery. Of a hundred definite experiments for definite objects ninety-nine are failures. It is the happy inspiration of some favored moment under favorable conditions which gives birth to the great new discovery. And of all these favorable conditions and circumstances there is only one that is perfectly clear. This is absolute freedom for the investigator. Accordingly, the anti-vivisectionists' proposal to regulate the experiments of the scientist really means the paralysis of scientific investigation. The question, therefore, is, Shall scientific investigation enjoy the air of absolute freedom, in which alone it can live and flourish, or shall it be extinguished by the meddlesome interference of self-confident ignorance and sentimentalism?"

"Absolute freedom" for the Vivisector; let us realize what this implies. Paolo Mantegazza, Professor of Pathology at the University of Pavia, published some thirty-eight years ago a work on "The Physiology of Pain." The "Lancet," March 25, 1871, p. 415, in a review of this book, said:

"It will suffice to state that the experiments were intended to study the action of pain on digestion and nutrition. They were, as the professor himself confesses, agonizing to the animals subjected to them and distressing to the experimenters, and simply proved that loss of appetite, great weakness and a peculiar inhibition of moisture were the result of the pain inflicted. It is added that no alteration of the spinal marrow could be detected after the agony had been protracted for one month. Very meagre results of unpardonable cruelty."

The experiments on a number of guinea-pigs dealt with the problem how to create intense pain and at the same time to keep the creature motionless in an attitude which would not (like lying on its back) interfere with respiration. The ingenious Professor hit on two ways to accomplish this double purpose, "either by exasperating the pain so that its influence overcame the action of the muscles of motion, or by planting sharp and numerous nails through the soles of the feet in such a way as to render the animal nearly motionless, because in every movement it would have felt more acutely its torment" (p. 95). For the former purpose he caused a machine to be constructed, a drawing of which is inserted in the book. In the centre is a large cylindrical glass box or bottle, in which lies a rabbit. Through the cork descends and moves freely a handle terminating in iron pincers and claws—

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so arranged that the presiding physiologist may grip at pleasure any part of the animal's body and lacerate or crush it at his discretion. "Thus," he says, "I can take an ear, a paw, or a piece of skin of the animal, and by turning the handle squeeze it beneath the teeth of the pincers; I can lift the animal by the suffering part, I can tear it or crush it in all sorts of ways." Figure 2 represents this "tormenter" isolated from the rest of the apparatus (p. 99). The breath of the animal passes through two tubes out of the bottle into suitable vessels. Then follow the details of twenty-eight experiments. Many of them, he says, occupied two days, all of them one day at least, the animals being put into the apparatus for an hour or two, then taken out to rest and put in again. The Professor prefaces what is to follow by this remark:

"These, my experiments, were conducted *with much delight and extreme patience* for the space of a year. *('Queste, mie esperienze, furono condotte con molto amore e pazienza moltissima per lo spazio di un anno')*." —See "*Fisiologia del Dolore,*" p. 101.

If we grant the Vivisector absolute freedom in his researches we must consent to the perpetration of atrocities of this kind. He considered them "necessary" for his studies on the action of pain, on digestion and nutrition. In his studies on burns and scalds made upon the dog, Dr. Wertheim, of Vienna, is reported in "The Edinburgh Medical Journal" (1868-9, p. 1,026), to have saturated the bodies of dogs with oil of turpentine five or ten times in quick succession, setting fire to it each time. Boiling water was used to scald animals nine times in quick succession. All the dogs died, either in a few hours or, at the latest, after five days. "Absolute freedom" in his researches on so important a subject as burns and scalds would warrant an experimenter in doing this if he considered it "necessary."

We are asked to leave the whole question of animal experimentation in the hands of the medical scientists. They say:

"Why should we not be willing to leave this matter with the scientific physicians? We entrust to them the lives of ourselves and of our children. And when, to devise means of preventing or alleviating our sufferings, they conduct experiments upon the lower animals, should we not extend to them the same confidence which we feel when we put our own lives in their hands?"

We reply that no profession, however honorable, learned, devoted and humane, can be trusted to act with the absolute freedom

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demanded by the investigators of the laboratories. The history of religion in the past proves that the Christian Church was not always to be trusted with arbitrary and unlimited power over the bodies and souls of men, and in the Report of the English Royal Commission on Vivisection, 1876, on the necessity for legislative interference to protect animals from scientific cruelty, it is said that "It is not to be doubted that inhumanity may be found in persons of very high positions as physiologists. Sir Thomas Watson, Sir George Burrowes, Sir James Paget and many others have suggested the Analogy of the Anatomy Act (for legislation)." The Anatomy Act was passed in 1832 in consequence of the scandals connected with the great Anatomy School, at Edinburgh, at which Dr. Knox was a celebrated teacher. It was discovered that a murderer named Burke provided bodies for surgeons by killing his victims by suffocation, leaving no marks of violence. The crime was known as Burking, and to leave no temptation to such scandals as the robbery of graveyards and the murder of persons for the sake of the prices paid by surgeons for the bodies brought to the medical schools the wants of the doctors were provided for in a legal manner. I personally knew a most humane and benevolent old surgeon who told me that in his student days at one of our Great London Hospitals he had assisted in robbing a churchyard in Essex of a newly buried corpse for dissection at his medical school, when the scarcity of subjects for anatomical purposes was so great as to impede his studies. I could well understand the overmastering desire in an industrious student to secure material necessary to prepare him for his examinations when by legitimate means it was not to be obtained. Dr. Knox had great difficulty in supplying his students with bodies for dissection, and after the trial of Burke and his confederates the people of Edinburgh were so convinced of his negligence that they destroyed his house and library and he had to fly to the Metropolis, where he lived in obscurity and died in a by-street in East London.

If it was found necessary for the British Parliament to pass the Anatomy Act to abolish the practices of the Resurrection-men in 1832, and another Act to place some restrictions upon the Vivisectors in 1876, it is evident that no Government can afford to give carte-blanche even to "scientific physicians whom we trust with the lives of ourselves and children." No responsible anti-

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vivisectionists, so far as my long acquaintance with them enables me to speak with confidence, accuse medical scientists of culpable negligence towards their animal victims, nor do they suggest that they inflict pain wantonly, but when it is admitted that "there is a limited proportion of cases, which may be of great importance, where the results of experiment would be endangered by any means that could be taken against suffering, in these cases the animal must suffer" (see "Statement of Professors on behalf of Science"—"Boston Evening Transcript," February 25, 1896). In that case the humanitarians are right in their protest that the claim of the Vivisectors for "Absolute freedom for the investigator" cannot be conceded.

EDWARD BERDOE.

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THE BRITISH ELECTIONS.

BY SYDNEY BROOKS.

GREAT Britain in the throes of a General Election is not, and never has been, an engaging spectacle; and few Englishmen can look back on the contest that has just ended without a sense of shame and disgust. I am not now referring to the numerous outbreaks of rowdyism, to the meetings that have been broken up, the heads that have been broken, the speakers howled down and pelted. These are the traditional phenomena of every political campaign in England, excite little comment, and are taken as satisfactory evidence that the nation is really interested in what is going on. In that respect the recent campaign was on the whole normal. It was less tumultuous than the election of 1900, when an avowed pro-Boer could only address a public meeting at the risk of his life and when Mr. Lloyd George narrowly escaped being lynched by the Birmingham mob. On the other hand, it was considerably more disorderly and more productive of "incidents" than, for instance, the elections of 1892 and 1895. But a degree of violence that Americans would not tolerate for a moment in a Presidential election is so inseparable from the business of political discussion in Great Britain as to be accepted as a matter of course. It is not on this account that Englishmen are inclined to look back on the recent election with feelings of mortification and even alarm. Far more serious than the horse-play, the organized uproar and obstruction was the evidence that abounded of a moral and intellectual lowering of the whole political standard. Reason, of course, is always at a discount during an election, but never was it so utterly lost sight of as in this one. Partisanship, crude and incredible exaggerations, clap-trap, mendacity, puerilities, distortions — these find their place in every campaign; but, after weathering more than

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half a dozen General Elections and four Presidential contests, my conviction is that they were never so supreme as throughout the struggle from which England has just emerged. The game was played throughout, and on both sides, about as low as it could be played, with the freest possible use of every artifice that could mislead, cajole, intimidate and confuse the electorate and appeal to the passions and cupidity of classes, interests and localities. It would have been supremely interesting to have heard the views, say, of a Chinese mandarin or of a Russian of the school of the late M. Pobyedonostseff, on the whole proceeding. It would hardly, I imagine, have converted them to the blessings of representative government. Happily the English, like the Americans, quickly recover from their electioneering debauches; their political instinct reasserts itself; and though the damage inflicted by methods that must revolt every reasonable man is undeniable, and will one day have to be made good, it is the sort of damage that is intangible, deferred and too widespread to touch the conscience of the individual citizen.

THE QUESTION OF ELECTORAL REFORM.

Meanwhile the election has emphasized anew the necessity of sweeping reforms in the whole electoral system. The absurdity of spreading the polls over a period of three weeks, instead of holding them all simultaneously on a single day, has never, I think, so deeply impressed the country. The newspapers, again, as is always the case after every General Election, are filled with the grievances of men who for one reason or another, usually because of removal from one constitutency to another, found themselves deprived of their vote by the limitations and complexities of a registration system which, besides being full of anomalies and practical injustices, is also one of the most cumbrous and expensive in Europe. The closeness of the struggle, moreover, between the Liberals and the Conservatives has drawn attention once more to the question of plural voting. An Englishman who has interests that qualify him for the suffrage in more than one constituency may vote in all of them, and instances of men polling ten and twenty times were by no means uncommon in the recent election. As nine-tenths of these fortunate individuals are Conservatives their privileges operate as a severe handicap on Liberal candidates. Then, too, the campaign produced between

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twenty and thirty three-cornered fights between Conservative, Liberal and Labor candidates, and in some half-dozen of these the Conservative was returned, though he polled only a minority of the total vote cast. This is an anomaly which will undoubtedly have to be set right. Before very long, indeed, I fully expect to see adult suffrage established in Great Britain, all Parliamentary elections taking place on a single day, the saloons closed while they are in progress, plural voting abolished and provision made either by the device of the second ballot or by that of the alternative vote for the proper representation of minorities.

THE PROBLEM OF REDISTRIBUTION.

But all this, important as it is, is subsidiary to the greater problem of a redistribution of seats. Burke would probably have argued that the very anomalies and inequalities of any and every electoral system may be, and often are, its best features; and that a balance and variety of representation can only be secured by maintaining the diversities of the constituencies. Modern democracies, however, do not look at the subject from that standpoint at all. In dealing with it they are rigidly mathematical. They proceed along the theory that inequality in representation is synonymous with injustice and that all members of Parliament should represent as nearly as possible an equal number of electors. Even the old English doctrine that representation should be based not only on population, but on taxation, also has been discarded. Numbers alone are now the test. Applying this test, by the light of the last census, to the electoral system of Great Britain and Ireland, a most satisfying crop of anomalies is revealed. England and Wales have a population of 32,527,000, Scotland of 4,472,103 and Ireland of 4,458,775. The registered electors for 1909 were in England and Wales 6,156,441, in Scotland 771,388 and in Ireland 687,609. England and Wales contribute to Imperial expenditure about eighty-seven per cent. of the whole, Scotland a little over ten per cent. and Ireland a little over two per cent. Nevertheless, while England and Wales are represented in the House of Commons by 495 members and Scotland by seventy-two, Ireland sends to the Imperial Legislature no fewer than 103 representatives. If the proportions were to be adjusted in accordance with the number of registered electors, England and Wales would have 535 members, or forty

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more than at present; Scotland would have sixty-nine, or three less than she has now; and Ireland sixty-six, or thirty-seven fewer than she now possesses. On a basis of population England and Wales should have 526 members (thirty-one more than at present), Scotland seventy-two (her present number) and Ireland seventy-two (thirty-one less than at present). To put all this in another way, one finds that Ireland, with less than one-seventh of England's population and contributing less than one-fortieth of England's quota to Imperial expenditure, has more than one-fifth as many members of Parliament as England; and also that Ireland, with a population slightly less than that of Scotland and contributing hardly one-fifth as much as Scotland to Imperial expenditure, returns none the less to Parliament thirty-one members more. The over-representation of Ireland—her numbers in Parliament were fixed by the Act of Union when her population was twice what it is now and when England's population was about a third of its present figure—and the under-representation of England are thus the kernel of the whole matter. But apart from this there are many other peculiarities in the British electoral system that offend the mathematical mind. For instance, the disparity between the largest and the smallest constituency in the United Kingdom is as twenty-eight to one—one constituency having over 52,000 registered voters and another only a trifle over 2,000. Then, too, it has been ascertained that one-half of the 670 members in Parliament represent 4,652,878 electors and the other half only 2,413,825; and that one-half of the electors send 464 members to Parliament and the other half only 206. To these and many other facts of the same kind the electoral statisticians, drawing their figures from the recent campaign, have been compelling attention; and I think it extremely probable that in the near future the British constituencies will be redistributed with as near an approach to numerical equality as is possible and that the thirty-one surplus Irish seats will eventually be parcelled out among English electoral divisions.

IS ENGLAND CORRUPT?

So far as I know, no petitions whatever have been presented for unseating members on the score of bribery and corruption. After the election of 1906 five such petitions were lodged. One of them turned on technical points; the other four certainly

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disclosed a large degree of squalid corruption. In Worcester, a cathedral town, by the way, the revelations were so revolting that the city was disfranchised for a couple of years. It was proved that the bribable class practically held the balance between the regular parties. At Yarmouth, Maidstone and Bodmin also a good deal of downright corruption, of votes purchased for money, was unearthed. The sums paid for votes were often as low as fifty cents apiece—a fact which prompted an American friend of mine to claim that, as no self-respecting American would ever sell his vote for less than five dollars, England was, consequently, ten times as corrupt as the United States. But while, as the outcome of the recent campaign, there has been a certain amount of talk of bribery, of beer flowing with suspicious freedom, and so on, and while unquestionably there has been a great deal of social intimidation in the rural districts and of business intimidation in the towns, nothing resembling the revelations that followed the election of 1906 has been brought to light. It can, indeed, hardly be questioned that the absorption or abolition of the old rotten boroughs, the expansion of the electorate, the spread of education, the Corrupt Practices Act, the growth of class consciousness and self-respect among the working-classes, and the generally high standard of character among Parliamentary candidates, have pretty well stamped out the grosser forms of bribery at English elections. The lesser and more indirect forms, however, still flourish, and it would beyond doubt have a most salutary effect on English public life if the publication of all campaign contributions were enforced by law and if an Act were passed forbidding a member of Parliament or a candidate to subscribe to any society, charity or "movement" in his constituency. There is, however, another and more significant point which the recent election has brought home. In the matter of electioneering expenditure, it surpassed every campaign I have known in England, and one of its most striking features was the number of organizations, devoted to political ends, that took part in it. These organizations raised large sums for which they rendered no account. They supported their candidates with canvassers, motor-cars, posters, leaflets, and so on. They did for the candidate what he was absolutely unable to do for himself on such a scale. But no return of the moneys they spent has been or will be included among the statement

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of expenses that every candidate is required by law to furnish. In this way the purpose of the Corrupt Practices Act is very largely frustrated. The injection of the fiscal issue into English politics has had already its familiar result of making the maintenance or the abandonment of Free Trade a matter of financial interest to vast numbers of wealthy business men, who, accordingly, are unloosing their purse-strings in a way that threatens to make every electoral contest a trial of financial strength. That beyond doubt was the most disquieting and in many ways the most ominous development of the recent campaign.

THE STATE OF PARTIES.

If now we turn to the political aspects of the election, it is clear at once that the Liberals and Free-Traders, though victorious, lost heavily. Nobody expected for a moment that they could maintain the high-water mark they reached in the election of 1906—an election that almost resembled a convulsion of nature. In 1906 every single circumstance told in their favor. In 1910, after four years of office, they had to face the unpopularity which gathers round every Government, the enmity of several powerful interests, the defection of the Unionist Free-Traders and the extremely zealous and effective campaign which the Tariff-Reformers have organized throughout the length and breadth of the country since 1906. That their majority, therefore, would be substantially reduced was known beforehand. The most sanguine Liberal did not expect the combined Liberal, Labor and Nationalist forces in the new Parliament to outnumber the Unionists by more than 200. The most sanguine Unionist, on the other hand, could hardly have hoped with any seriousness that the Liberal majority would be wiped out altogether; though several—probably to keep their political courage up—did actually prophesy a Unionist victory, and one even went so far as to fix the Unionist majority at ninety. In the event the Liberals did worse than most people anticipated and the Unionists better. The coalition of Liberals, Labor men and Irish Nationalists held a majority in the last Parliament of 334. That majority has now been reduced to 124. The Liberals at the dissolution totalled 373 and outnumbered all other parties put together by seventy-six. In the new Parliament they total 275, which is only two more than the Unionists, for a working majority over whom they

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have, therefore, to rely upon their Labor and Nationalist allies. The Unionists at the dissolution were 168 strong; to-day they are a compact and disciplined body of 273. The Labor party in the late Parliament, including the miners' representatives who had agreed to sign the party's constitution at the General Election, and including also Mr. Grayson, the Socialist, numbered forty-six. In the new Parliament they number forty. The Irish Nationalists at the dissolution were eighty-three; to-day they total eighty-two, but of these ten are Independent Nationalists who, under the leadership of Mr. William O'Brien and Mr. Tim Healy, have revolted from Mr. Redmond and partly also from the Liberal party. Altogether the Unionists won 127 seats and the Liberals won twenty-two, making a net Unionist gain of 105. It is not yet possible to ascertain exactly the number and distribution of the votes cast, but roughly the Unionist candidates polled some 260,000 more votes than the Liberals and the coalition of Liberals, Labor men and Nationalists polled some 400,000 more votes than the Unionists. Sixteen Unionists, one Liberal and forty-eight Nationalists were elected or re-elected without a contest.

SOME GENERAL ASPECTS.

So much for the results as measured by statistics. Looked at politically, they are equally interesting. Scotland, Wales and Ireland remain substantially as they were in 1906, the big turn-over to the Unionist side having been effected almost wholly among the English constituencies, 465 in number. Of these the Liberals and Labor men held 327 at the dissolution. Every one of them was attacked by the Unionists and 121 were captured. Where the Unionists failed was in the urban and industrial constituencies of the North, Lancashire, Yorkshire, Durham and Northumberland standing like a rock for Free Trade. Where they succeeded was partly in the Midlands, where the Chamberlain influence regained a good deal of the ground it had lost four years ago, and partly in London, which is now represented by thirty-four Unionists and twenty-eight Liberals and Labor men instead of by forty-two Liberals and twenty Unionists, but chiefly and overwhelmingly in the rural constituencies—the "counties"—of the South, East and West. The counties were the great surprise of the election. The Liberals, relying upon them to

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remain as stalwart as in 1906, had rather neglected them and had instead concentrated most of their activities upon the boroughs. The Unionists, on the other hand, feeling sure that the boroughs would prove satisfactory, had studiously cultivated the counties. In the event both parties were justified by their strategy and both disappointed. The Liberals did on the whole as well as they could have reasonably hoped for in the boroughs, but were overwhelmed in the counties; while the Unionists, making only moderate gains in the boroughs, proved amazingly successful in the counties, winning there nearly two-thirds of their victories. The net result is that two clear lines of political division have been drawn through the country. The North and the towns are mainly Liberal and Free Trade; the South and the rural districts are mainly Unionist and Protectionist.

THE CAUSES OF UNIONIST SUCCESS.

Englishmen will continue for long to wrangle over what were the causes of the Liberal setback, what were the predominant issues and influences at the election, and what precisely it has "settled." The Constitutional issue, which was to most reflecting Englishmen the supreme issue, proved a Liberal asset of varying potency. The Conservatives naturally shirked it as much as they could, but in many constituencies it aroused little interest, in most it was overshadowed by the fiscal question, and in none—or in none, at any rate, that I have heard of—was it clearly the deciding factor. The action of the Lords handicapped the Unionists, who certainly have no wish to enter on another election with the Peers on their back, and it stimulated Liberal enthusiasm everywhere, but at no time did it occupy the position that its transcendent importance entitled it to. In the towns the Budget, and especially the land taxes, served the Liberals well, but in the rural districts they worked with deadly effect, the farmers being convinced that the proposed system of land valuation was merely a stepping-stone to increased taxation. Among the large number of intelligent Englishmen who belong to neither party many were drawn to the Liberal side by the action of the Peers, but many also were repelled from it by the extravagance of Mr. Lloyd George's rhetoric. In some constituencies the Liberals found it difficult to down the suspicion that they had neglected the navy; in others the German "scare" told heavily against

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them; in many more the nervousness of the small householder and property-owner on account of the "Socialistic" character of Liberal legislation proved a most formidable stumbling-block; and in all constituencies the Liberals had to face the bitterest opposition of the saloon-keepers and the persistent and largely successful propaganda of the Tariff-Reformers. In the rural parts londlord, farmer, squire, parson and publican joined hands in an unprecedented effort to stamp out Liberalism in their districts; the agricultural laborer, on whom the Liberals had mainly relied, was either converted to Tariff Reform or else cowed and dragooned by the local magnates into voting the Unionist ticket; squadrons of motor-cars brought up the remote voters; and Liberal candidates in consequence went down like ninepins. The election showed that Tariff Reform had everywhere, except in the urban North, made very considerable strides; that the country was somewhat disturbed by the manifestations of the "new Liberalism"; that while not abandoning Free Trade, it intended to warn the Liberals not to neglect the navy and to restrict their policy of social reform; and that while not enthusiastic for the Budget, it was willing that it should pass and that the veto of the Peers on finance should be effectively bridled. The Liberals, in short, have been cautioned rather than encouraged; they have won a victory and received an admonition; and their chief consolation is that had the election taken place a year ago victory of any kind would probably, almost certainly, have been denied them. They have met with a rebuff. But for the Budget and the Peers it might have been a disaster.

THE FUTURE.

The times, then, are dubious and confused. The Liberals have a majority of 124. But of these 124 forty are Labor men and eighty-two are Irish Nationalists. The latter, therefore, are once more the masters of English politics. If they vote against the Budget—and ten of them, the ten Independent Nationalists, are pledged to do so—then the Government must fall. In the present state of parties no Ministry can endure without the goodwill or against the opposition of the Irish Nationalists. They are in the position which they have always described as the ideal position for extracting Home Rule. But nothing can be more certain than that Home Rule will not be granted by the present

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Parliament. The Budget must first of all be passed. Then must come the gagging of the Lords on all future Budgets—an undertaking which, though admitted to be necessary by reasonable men of all parties—will assuredly prove difficult and contentious. And after that the Liberals mean to proceed with their general campaign against the constitutional prerogatives of the Lords. They mean to deprive the Upper House of the power of rejecting any Bill which has been passed three times by a single Parliament. That is a most hazardous enterprise; it will be stoutly resisted; I detect little feeling in the country in favor of it; I believe it will fail and will drag down the Liberal party. The opinion, in fact, in England, as I write, is that the recent election "settled" very little and that another appeal to the country on the specific issue of the House of Lords is a certainty before very long.

SYDNEY BROOKS.

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NEW BOOKS REVIEWED.

SOCIAL ECONOMICS.

THE College Equal Suffrage League of New York State, that planned the investigation into the results of equal franchise in Colorado, and Miss Helen L. Sumner, who carried out the investigation, have both performed a signal public service. They have supplied the Suffrage Cause, the Anti-Suffrage Cause, and the great conservative body of men and women who have not yet made up their minds to either cause, with a small but definite body of facts. In the revived interest in the extension of suffrage to women that has marked the last few years, theoretical arguments *pro* and *con* have been widely discussed. Assertions and counter assertions have become commonplaces; Suffrage elevates women to equality with men; it degrades them and renders them unwomanly. It doubles the ignorant vote; it increases the intelligent vote. It makes women neglect the home; it makes for a more inspiring home life, and a new comradeship between men and women. It makes for corruption in politics; it purifies and ennobles politics. What the great body of the American public want to know of the Suffrage to-day is not what it claims, but what it accomplishes. What they are pragmatically interested in, is whether it works.

An answer to this question is offered in Miss Sumner's book on "Equal Suffrage."* It is the result of an investigation into the political conditions and the legislative changes in Colorado after thirteen years' experience with equal franchise. The results will be to the highest degree unsatisfactory to the confirmed Anti; they will be moderately unsatisfactory to the suffrage enthusiast who hopes for the political millennium. They will be interesting as well as satisfactory to the moderate-minded suffragist who is

* **"Equal Suffrage," by Helen L. Sumner, Ph.D. Harper & Brothers. 1909.**

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at the same time a student of human institutions. After thirteen years of equal suffrage, all the men in Colorado are not in favor of it, nor are all the women; nor have the men and women made up their minds about it one way or another. In an investigation of 1,291 men and women representing widely differing interests, and selected to include all the influential factions in public life, 55.2 per cent. of the men, and 72.1 per cent. of the women were reported as favorable; 29.5 per cent. of the men and 15.14 per cent. of the women were unfavorable; 15.3 per cent. of the men and 12.5 per cent. of the women reported that they had not yet made up their minds. But according to Miss Sumner's figures, the number of men who are favorable to equal suffrage has increased 10 per cent. since the passage of the bill in 1893; and the great majority of the women believe it works for their good and the public welfare.

The investigation took the form of an elaborate questionnaire, and the material so obtained was amplified by statistics taken from public records. It covers the part played by women in party politics, and in public-office holding. It indicates the influence women's votes have had for and against a man or a measure. In a chapter on the "Economic Aspects of Equal Suffrage," the problem of affecting wages by legislation is discussed. But by far the most suggestive chapter in the book, in view of the current interest in the movement, is the last, where Miss Sumner has analyzed the opinions of the men and women favorable, unfavorable, and neutral to the question at issue, as to the effect of equal suffrage on the women of Colorado. No one interested in this living political issue can afford to pass by the opinions of these 1,291 men and women who have had thirteen years' experience of conditions which are to most people purely hypothetical. Their judgments as to the influence of the suffrage on the morale, intelligence and public spirit of women, of its effect on home life and the bringing up of children, are some of the facts which are sorely needed at the present stage of the movement.

Despite the ring of its title, "Misery and its Causes,"* by Dr. Edward T. Devine, is one of the most optimistic and cheerful

* "Misery and its Causes," by Edward T. Devine. New York: The Macmillan Company. 1909.

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books of the year. It reflects the convictions of a student of modern social conditions, whose scientific methods have not degenerated into academic formalities, and whose concern for humanity has not verged on sentimentality. He has looked far and deep into the causes of human misery, and has found in the midst of great evils the possibilities of good. Aside from such individual causes of unhappiness as remorse, failure in ambition, loneliness, or defective personality, the causes of social misery are found to be economic maladjustments. "Misery, as we say of tuberculosis, is communicable, curable and preventable." Social and economic maladjustments, and not depravity, account for a great part of the increase of suicide, crime, social evils, physical and mental deficiency, which mark our growing industrial and commercial communities. These maladjustments as they affect the physical conditions, the laboring capacity, and the social relations of the poor in our great cities, are discussed in the three chapters headed significantly "Out of Health," "Out of Friends," and "Out of Work."

A further analysis of these adverse conditions, and, perhaps, the most suggestive chapter to the student of social problems, is made from a study of the circumstances of the 5,000 families who applied for relief to the New York Charity Organization Society during the years 1906-1908. Finally the causes of social misery are recapitulated from another aspect, in constructing a programme for rational social control. Certain social conditions, within the control of society itself, make for a normal happy community. Their absence spells Misery. Dr. Devine holds these fundamental conditions to be a sound physical heredity, protected childhood, a prolonged working period for both men and women, freedom from preventable disease, freedom from professional crime, a general system of insurance, a system of elementary education adapted to the present needs and resources, a liberal relief system, and a higher "standard of living."

Besides the botanist, the agricultural expert and the colonial administrator, for whom the book is obviously intended, Mr. Willis's little volume on "Agriculture in the Tropics"* will be

* "Agriculture in the Tropics," by J. C. Willis, M.A., Sc.D., Director of the Royal Botanic Gardens in Ceylon. Cambridge University Press. 1909.

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welcomed by two orders of the lay brotherhood. The traveller whose *Wanderlust* takes him to the far corners of the earth, and the traveller who, never leaving his comfortable fire and lamp, voyages over the rustling country of a map, will both find the book packed full of interesting material. The main part is devoted to the cultivation of the staple tropical products. In crisp phrase and with abundant illustration, are set forth the agricultural and industrial processes by which some of the great commonplaces of daily life are produced. Rice, sugar, tea, coffee and cocoa, nuts, spices and fruits, have their histories, discoveries, migrations and adaptations, not unlike those of the peoples who live by consuming them. The descriptions of the development of the tobacco, opium and hemp industries, the adaptation of the Brazilian cinchona to the Asiatic tropics, and the subsequent monopolization of the quinine trade by Java, are chapters from the world politics of the vegetable kingdom.

Throughout the book, and especially in the part in which is outlined a progressive agricultural policy for a tropical country, we feel the point of view of the British Colonial official, who sees the development of the tropics carried on by European and American planters, by means of European and American capital. With regard to the future of the American island dependencies, the book cannot be passed over by our students of colonial affairs.

The most persistent tradition of the American people as a whole, Mr. Croly finds* to be a belief, that owing to their favorable conditions and natural enterprise a future of unusual promise and greatness awaits them. "The substance of our national Promise has consisted of an improving economic condition, guaranteed by democratic political institutions, and resulting in social amelioration." Following the Jeffersonian principle of governmental non-interference, the majority of the people in the frontier days of the Republic and in the Middle Period felt that the fulfilment of the Promise was inevitable, and, therefore, admitted the greatest individual latitude in their economic organization. The minority—and Mr. Croly does not hesitate to consider them the intelligent minority—advocated, though not effectively, the Hamiltonian principle of national responsibility.

* "The Promise of American Life," by Herbert Croly. The Macmillan Company. 1909.

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Since the close of the Civil War the "laissez-faire" policy of economic individualism has tended to create such inequality of fortune and power as to undermine the bases of Democracy and to threaten the Promise of the Future. Mr. Croly holds a brief for the centralization of political power in the hands of the Federal Government, for the control by a responsible public body of the economic organizations, especially the labor organizations, and for the gradual socialization of all forms of wealth. "If any critic likes to fasten the stigma of socialism in the foregoing conception of democracy" the author is "not concerned with dodging the odium of the word." Indeed, to a candid reader it is difficult to distinguish between Mr. Croly's "constructive Individualism" and the ideals of the conservative state Socialists.

The penalty which the twentieth-century American pays for his patriotism is apt to be periodic fits of depression, when he considers the number of insoluble national problems. Tariff, trusts, socialism, strikes, congestion, crime—present problems that harry our souls for solution, and may possibly be solved by our great-grandchildren. From these latter-day plagues we turn to this book as to the fresh west wind, that blows away our highly specialized modern germs, and cools our overheated modern houses. We read again the romance of America in the making, told not in treaties, battles and bargains, but in the lives of a few great Americans. Daniel Boone, hero of many Indian fights, discoverer of the Wilderness Road; Thomas Jefferson who doubled the territory of the United States to the tune of fifteen million dollars; General Jackson, who covered himself with various shades of glory in the acquisition of Florida; all stand as central figures in the drama. Houston, moving spirit in the annexation of Texas, Benton in the occupation of Oregon, Fremont in the Conquest of California, present another trio, differing in character and temperament and yet possessing one great trait in common, an overpowering interest in the building up of their country.

These biographies appeared serially in the "Outlook," and have now been gathered together in book form.* The final effect of

* "The Romance of American Expansion," by H. Addington Bruce. Moffat, Yard & Company. New York: 1909.

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the narrative is somewhat impaired by the magazine tradition. Details are unnecessarily scanty; events follow one another with undue rapidity. The principle of expansion might well have been applied to the book, and we close with an unsatisfied desire for more—more stories, more adventures, more Americans.

To the readers who have felt the charm of Professor Lombart's facile style, the present volume loses a little in translation. Mr Epstein's translation of the sixth (enlarged) German Edition of "Socialism and the Social Movement"* is, however, highly to be commended for a faithful rendering of the spirit of the original, and for its timely appearance. Assertions as to what Socialism is, and what it is not, greet us at every turn. That this book has shed much light on these vexed questions for many people and in many lands, is evidenced by the fact that since its first appearance in 1896, as a little volume of 130 pages, it has been translated into eleven European languages, and expanded to almost three times its original size.

As the title suggests, a distinction is made between Socialism, by which Lombart means the "intellectual embodiment of the Social Movement," and the Social Movement, or "all the attempts at emancipation on the part of the proletariat." The one comprises a body of social, political and economic theories, the other a series of attempts to realize these theories in the sphere of practical politics. Socialism, itself a reaction against economic rationalism, or the "intellectual embodiment" of the ideas of the Capital class, has in the last century exhibited a variety of forms. Steeped in the doctrines of Rousseau, the Utopian Socialists—Cabet, Fourier and Proudhon—preached a "return to Nature" in terms of eighteenth-century rationalism. The Anarchists Bakunin, Kropotkin and Jean Grave, find in the State the root of all evil and again the only "rational" society, a "natural" one. Against the theories of the rational socialism the historical Socialists insisted that "the Constitution of any State is not a creation of pure reason; and, therefore, cannot be constructed by any set of reformers according to their inclinations. It was rather the expression of the existing distribution of power in the State." The most recent modification of this historical or scientific So-

* "Socialism and the Social Movement," by Werner Lombart, translated by M. Epstein. New York: E. P. Dutton & Company. 1909.

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cialism is the so-called revolutionary Syndicalism of France; the movement to organize whole industries in trade-unions, and to bring pressure to bear on organized Capital, by means of the General Strike, which doctrine Lombart finds directly traceable to Marx's teaching.

The social movement of the proletariat for emancipation is not to be confounded with the revolutionary movements of the nineteenth century. The proletariat played a small part in the revolutions of 1789, 1793, 1830, 1832 and 1848, but "at bottom these movements were middle-class movements, and their aim was to acquire political rights for the middle classes." In each country the proletariat developed certain peculiarly national institutions, influenced by the national political character. In England we find the Co-operative Movement, the Trade-Union, the practice of collective bargaining. "In Germany the social movement is distinguished by its prevailing political character," in France, it is characterized by "Factionism, Clubism and Putschism." But despite the national peculiarities, the proletariat movement in all countries shows a tendency to uniformity, "a tendency to unity of action on the part of Labor parties in all countries." The movement is becoming universal, rather than national, and the political and economic programme of Social Democracy shows a growing unity of aim in all parts of the army of the proletariat.

To the ordinary citizen whose daily concerns are with the arts of peace, Mr. Homer Lea's very vigorous and informing book on the probabilities of imminent war comes with peculiarly disquieting effect, the more so since his message is heralded with great earnestness by General Chaffee and General J. P. Storey, both experts on foreign military relations and coast defence. The attitude of the average American citizen to the question of a possible invasion from abroad is one of confidence in the seclusion of his continent between two oceans. The business man believes that the growth of international trade relations, and the spirit of arbitration makes international wars improbable. But should such a war come, the American people are rich enough in wealth, and patriotic enough in spirit, to resist any attack. Hence the regular army is allowed to dwindle to many thousands less than the number provided by Congress; the present navy is

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insufficient to afford coast protection. This attitude of the public mind, Mr. Homer Lea stigmatizes as the "Valor of Ignorance."* The nation is in a state of unpreparedness, owing, it is true, to a number of natural causes, chief among which is the rapid growth of national wealth. But other nations, with whom the United States has intimate relations, notably Germany and Japan—are not unprepared. With the present German military organization and merchant marine, "Germany can transport to the United States a quarter of a million soldiers in a fortnight." "Japan can mobilize in one month more troops, scientifically trained by educated officers, than this Republic can gather together in three years." In view of these possibilities, Mr. Lea compares the American organization for repelling invasion—the standing army, the navy, the facilities for moving troops and for sanitation. He declares them all to be inadequate to resist the invasion of any army of the present strength of Germany or Japan. Valor is based on Ignorance indeed!

The book *is* very disquieting, and our valor diminishes with enlightenment. We wish after closing it that we had quite the same confidence as before in Peace Conferences, Courts of Arbitration and the "commercial bonds between nations." And it would be easier to discuss it, did it not rest on such excellent authority.

Judge Davis's "Elements of International Law"† has been revised to include the results of the second Peace Conference at The Hague in 1907, and the important international events of the last decade. As a text for class use the book has been immensely improved by the inclusion of many cases illustrating the principles of the Law of Nations (which, by the way, are most entertaining reading for the layman) and by the elaboration of the bibliographies, references and appendices. The present volume has, in fact, graduated from the text-book class and is fast attaining the dignity of a reference-book. For the reader of news and the student of politics, such a book is becoming indispensable. We are living in an age of interest in international affairs, an interest catered to by the daily press and by the mania for

* "The Valor of Ignorance," by Homer Lea. Harper & Brothers. 1909.

† "The Elements of International Law," by George B. Davis. Published by Harper & Brothers. 1908.

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travel. In a little over a decade we have seen four international wars, countless international altercations, and in the same period a steady pressure from all sides for arbitration and a peaceful settlement of international differences. The innovations of modern warfare, and the recommendation of the Peace Conferences have both made for a modification of many of the principles of international law. A new era in the history of national relations and international dealings seems to be setting in; an era in which air-ships, submarines, long-distance projectiles and wireless are setting aside the barriers of nations, and opening up new areas of activity. The most recent Conventions, and agreements concerning the conduct of hostilities and the procedure of neutrals are reprinted in full as appendices to the text, and rescued from the newspaper oblivion which threatens those events which are recent enough to be almost remembered, and not old enough to be history.

There is a confused impression in nearly all Northern minds, and in many Southern, as to the motive which drove Virginia into secession. Some writers have attributed that momentous act to the Virginians' desire to preserve the institution of slavery because necessary to the profitable working of their plantations or because insuring them an additional income by the sale of their surplus bondsmen. Some have attributed it to the outraged feeling caused by the intemperate crusades of the Abolitionists; some to the threatening and aggressive conduct of the Republican party; some to the State's complete alienation from the Union, which she had done so much to found and extend. In the work under review* Mr. Beverley B. Munford, a distinguished lawyer and publicist of Virginia, has examined into the soundness of these several suppositions, and by a fund of information gathered from original sources demonstrates how entirely inadequate all are, whether taken singly or in combination, to afford the true explanation of that fateful movement. Why, then, did Virginia secede? asks Mr. Munford. She seceded because she was summoned by Lincoln's call for troops to aid in the coercion of her sister States of the South—a step that would have ap-

* "Virginia's Attitude towards Slavery and Secession." By Beverley B. Munford. New York and London: Longmans, Green & Co., 1909.

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peared to her to be a subversion of all those principles upon which, in her view, the Union itself was founded. Have the people the right to determine for themselves their political destiny? Are the just powers of government to be measured by the consent of the governed? "These were the questions," says Mr. Munford, "which, carrying their own answers, impelled the Virginian opponents of coercion in 1861 to stand, as they believed, for the political and ethical principles which the flag symbolized, rather than for the flag itself." Mr. Munford's volume possesses far more than a local and sectional importance, for its treatment of its general thesis is so comprehensive in substance and so broadly patriotic in spirit—it deals with questions that reach over so constantly into the domain of national events and influences—that from start to finish the volume appeals irresistibly to every citizen of the Union who is interested in the most momentous era of our national history since the close of the Revolution.

One's first feeling in reading the essays of Miss Jane Addams, published under the title "The Spirit of Youth and the City Streets,"* is how great our wealth and benefit is in having Miss Addams. Her work at Hull House is known the world over, and to those who have regarded the condition of the city poor as hopeless she is a powerful force. She feels as much as she thinks, and it is her feeling that makes her a mine of wise suggestion and practical advice. It takes no small insight to discern that what appears to be squalor, misery, foolishness, crime, is in many instances a revolt against an order which youth feels to be unsympathetic and alien. Her little book cries, Awake! There are no ideals for which man is fighting and dying. Youth demands ideals! Youth will not bow down to a strange god; it is blindly waging war against him, a war without a leader, a mob fired by a passion to be free; the people are demanding a banner they can love, are calling for one who can order the motley mass into a pageant singing hymns of joy. The noble words of the prophets of freedom are as chaff, the magic wand of the inventor has been wielded in vain, unless man knows him whom he serves. It is the glory of youth that it has not forgotten;

* The Spirit of Youth and the City Streets." By Jane Addams, Hull House, Chicago: The Macmillan Company, 1909.

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it is our shame that we, the mythical we, the community, have. This is Miss Addams's message.

FICTION.

In a good hour the greatest living dramatist of Germany has gone back to writing novels and set down for us a piece of Berlin life*—not neat or nice or cheerful, but terribly real. As people are so he sets them down, and gives the reader not a single figure in rose-pink or sky-blue for edifying adoration. This is manifestly unkind to the born sentimentalists, but with such he keeps no terms. He declared war on sentiment as such in the old days of "*Es War*" and "*Die Ehre,*" yet he is not the least in the world a materialist; he believes that the human soul can and does exist everywhere, in vaporings and in bemirings, even in the most unlikely and sordid folly. Therefore, this history of one wretched life, set down without fear or favor and without one word of comment, is not quite hopeless. Somehow poor, impotent, silly Lilly is at the last a little humaner, a little less befogged, one short step farther away from the state of cats and canary-birds, one tiny degree nearer the remote estate of saints and poets. Browning once said something flippant about the immortality of the soul "where a soul may be discerned." Well, Sudermann has discerned it, has encouraged us to hope for it, in a book that expresses at once his comprehension and his hope of humanity.

Such a quaint *pastiche* is this "Felicità,"† with never a hint of the real place (though the author knows Italy) or of the real documents (though the author has written on the Middle Age before), but all pieced up out of his histories and compendiums, some of them charming enough, out of abstracts and second-rate essays and novels even. Mr. Christopher Hare, who had so little to say on "Dante, the Wayfarer," and said it with such cynical aplomb, "condensing" "The Book of the Courtier" and hashing up the life of its courtly author, does not understand that he has still to learn to write. He cannot, so far,

* "The Song of Songs" (*"Das Hohe Lied"*). By Herman Sudermann. Translated by Thomas Seltzer. New York: B. W. Huebsch.

† "Felicità: A Romance of Old Siena." By Christopher Hare. New York: Frederick A. Stokes Company, 1909.

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describe a vista or depict a character or tell a tale. And yet many will enjoy the very names upon the page. The thrifty publishers, we note, who inaugurated the series of "Little Novels of Famous Cities" with a tale about Perugia, have used here a page bordering for a book on Siena set with the griffin of Perugia. It is all rags and tags of a velvet gown, a kind of gilt gingerbread cock-horse.

LANGUAGE.

When the odium theologicum had spent its fury, and the last dissentient had been burnt at the stake with appropriate solemnities, the odium litterarium had remained to continue the sacred tradition. But this has now received what we fear may be a fatal blow from the serenity and benignity—if these can deal a blow; it does not seem as though they could—of Professor Lounsbury's charming essays on "English Spelling and Spelling Reform."* The whole book containing them is interpenetrated with a sweetness and light which must be temperamental, which must be an effect of what the Swedenborgians call *natural good,* and which could not have been acquired by the most eager and earnest spiritual striving for righteousness. To any one so thoroughly persuaded of the common sense and common honesty of the simplified spelling, the author's smiling reasons, his pleasing ironies, in its favor are absolutely unanswerable, and we should think the wickedest opponent of it would be convinced, and would set about enrolling himself among the blest, with eyes fixt upon the fonetic goal, and feet pressing thru the quicksands of superstition to the stedfast shores of the promist land. The sentimentality, the arrogance, the ignorance which have joined to fasten the chains of an insane orthography upon us, and to incarcerate our hapless English parlance in a bedlam where the lunatics are in power and the doctors and keepers are in strait-jackets, are all disposed of with a laughing ease that the lunatics themselves ought to enjoy. Never before was so much learning joined to so much loving-kindness in the treatment of the ridiculous pretenders to sanity in these conditions. Professor Lounsbury cannot dispose of all their "arguments," but he disposes of

* "English Spelling and Spelling Reform." By Thomas R. Lounsbury, LL.D., Emeritus Professor of English in Yale University. New York and London: Harper & Brothers.

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enough to keep his reader constantly amused from that of the good Boswell, who wished to keep the *k* in havock and publick, "as a mark of their Saxon original," though there was never any *k* in the Anglo-Saxon alphabet, down to the latest newspaper pundit who has insulted the good-will and superior intelligence of the simplified spellers in behalf of the participial *ed*, spelt by the best poets and printers centuries ago with a *t*.

The study of English orthography is indeed a gay science in the handling of Professor Lounsbury. The most difficult digraph, the most reluctant diphthong, is made to yield a sweetness to this scholar's genial mood; and all those awful questions of the *u* in honor and labor, of the movement of vowel sounds, of the vowels themselves, of the objections to change in the orthography which has never been constant to itself for ten days together, and which it is the duty of every good citizen and every innocent child to join in destroying, are treated with a luminous patience past the utmost merit of the least guilty of its champions. The whole book is so delightful; it so abounds in the friendliest humor, the most courteous instruction; its erudition is so well mannered, its wisdom is so forbearing yet so persuasive, that we wish it could be in the hands of every man, woman and child in the country. It is, perhaps, too mad to hope that the week or month will ever come when it shall be quoted among the best-selling books by the "literary" and "critical" periodicals; but if that week or month ever came, it would be of bright omen for a language now languishing under the vilest wrongs ever inflicted upon an innocent speech. We seek in vain among the customs of savage or barbarous peoples for a parallel of the grotesque misusages of English orthography. Nose-rings, foot-binding, tight lacing, razor-pointed shoes, tattooing, all these are emblematic of an advance in civilization far beyond that marked by our long-established, often disestablished, never re-established, spelling.

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CONTRIBUTORS TO THIS NUMBER.

J. H. FINLEY,

President of the College of the City of New York, was born at Grand Ridge, Illinois. Having graduated at Knox College in 1887, he studied for two years at Johns Hopkins University. He was then called to act as Secretary of the State Charities Aid Association of New York, and founded and edited the "State Charities Record" and "The Charities Review of New York." From 1892 to 1899 he was President of Knox College, and after a short period, during which he edited "Harper's Weekly" and "McClure's Magazine," he became Professor of Politics in Princeton University, and retained that chair until, in 1903, he was appointed to the post which he now fills with great efficiency and distinction. President Finley has been a welcome contributor to magazines and reviews, and he is co-author (with Professor Richard T. Ely) of a work entitled "Taxation in American States and Cities."

CHARLES F. THWING

is a native of New Sharon, in the State of Maine. He graduated from Harvard in 1876, and, having completed a theological course at the Andover Theological Seminary, he was ordained to the ministry of the Congregational Church, in whose service he occupied pastorates in Cambridge, Massachusetts, and Minneapolis, Minnesota. In 1890 he was appointed President of the Western Reserve University and Adelbert College, in Cleveland, Ohio. He is the author of numerous books and magazine articles on various aspects of education and a speaker upon educational topics.

DAVID STARR JORDAN,

President of Leland Stanford Junior University, was born at Gainesville, New York, January 19th, 1851. A graduate

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of Cornell University, he later received the degree of LL.D. from this university and also from Johns Hopkins. He held a professorship in zoology in Indiana University till he became its president in 1885. In 1891 he was appointed to the post he now occupies, serving as well on many important scientific commissions, notably the United States Fish Commission. He is a prolific writer on scientific subjects—"A Manual of Vertebrate Animals of Northern United States," "Foot-notes to Evolution," "A Guide to the Study of Fishes."

SENATOR THOMAS H. CARTER,

who represented Montana in the United States Senate from 1895 to 1901 and was re-elected to the Senate in 1905, was born in Ohio and for a number of years was engaged in farming, railroading and teaching. Having studied law and been admitted to the Bar, he removed to Montana in 1882, and he was a delegate to Congress from 1889 to 1891. When Montana was admitted to Statehood, he was elected its first representative in Congress. He was Chairman of the Republican National Committee from 1892 to 1896.

HAROLD STONE

is a graduate of Yale University, 1902, and the Syracuse Law School, 1904. Since he was admitted to the Bar, he has practised law at Syracuse and New York. He is a member of a firm who are attorneys for one of the large savings-banks of the State and has done a considerable portion of their legal work.

GEORGE L. KNAPP

was born in Olmstead County, Minnesota, April 6th, 1872. Although a graduate in medicine, he does not practise, but has devoted his time and interests to editorial writing. Since July, 1906, he has been on the editorial staff of the "Rocky Mountain News" and the Denver "Times." He has also been a contributor to the magazines. He is regarded as one of the most active opponents of the whole centralizing scheme, "conservation" or otherwise, in the Rocky Mountain region.

SAMUEL M. GARDENHIRE

is a native of Missouri and practised law in St. Louis till 1880, when he went to Kansas. His services to that State included membership in the Legislature and a municipal

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judgeship. Since 1895 he has practised law in New York. He is the author of several books: "Lux Crucis," "The Long Arm," etc.

GAMALIEL BRADFORD, JR.,

was born in Boston in 1863 and received his education in the Massachusetts public schools, in travel abroad and at Harvard. A life of leisure has enabled him to pursue the study of literature since 1886. Among his writings are "Types of American Character," "A Pageant of Life."

CHAUNCEY BUNCE BREWSTER

was born in Windham, Connecticut, September 5th, 1848, graduated from Yale in 1868 and was later a tutor at the university. Upon his graduation from Berkeley Divinity School, he was ordained in 1872. He has been rector of parishes in Rye (New York), Detroit, Baltimore and Brooklyn. In October, 1897, he was consecrated Bishop Coadjutor of Connecticut, and became Bishop of the Diocese in 1899. He is the author of "The Key of Life," "Aspects of Revelation" and "The Catholic Ideal of the Church" and a number of articles upon philosophical subjects.

VICTOR MURDOCK

was born at Burlingame, in the State of Kansas, March 18th, 1871. He did newspaper work in Chicago for some years before becoming managing editor of the Wichita "Daily Eagle." Since 1905 he has represented Kansas as member of Congress.

HORATIO PARKER

was born at Auburndale, Massachusetts, September 15th, 1863. He was graduated from the Royal Conservatoire, Munich, in 1885, and has received degrees from Yale, and from Cambridge University, England. Since 1894 he has been professor of Theory of Music at Yale. His "Hora Novissima" won him international fame and was the first American composition on one of the Festival Programs in England. He is the author of numerous cantatas, oratorios, as well as secular music.

BORDEN PARKER BOWNE

was born in New Jersey in 1847, educated at New York and at various foreign universities, and since 1876 he has been professor of philosophy and dean of the Graduate School of Arts and Sciences in Boston University. Among his pub-

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lished works are "Studies in Theism," "Metaphysics," "Philosophy of Theism," "The Christian Life" and "The Immanence of God." His philosophical works are known in foreign countries and have been translated into Japanese. He is an honorary member of the Imperial Education Society of Japan, which awarded him a gold medal in recognition of his distinguished scholarship.

WALTER K. TULLER

was born in Kansas, but the major part of his life has been passed in California. He is a graduate of the academic department of the University of California and also of its law school. Since his graduation he has practised law in San Francisco and Los Angeles, specializing in the law governing corporations.

BERTHA LANE SCOTT,

a native of Ohio and now living at Yonkers, New York, is the daughter of the late Colonel Philander P. Lane, of Cincinnati, and the wife of William Forse Scott. For some years she has been actively engaged in work relating to the reform in methods of education and has also held a prominent position in the New York State Association opposed to Woman Suffrage. Mrs. Scott has frequently spoken in the interests of anti-suffrage and writes from that point of view with authority.

SYDNEY BROOKS

is an English journalist who has already contributed a number of articles to the REVIEW on a variety of subjects. He is a profound student of current English politics and a reliable writer on that subject.

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DAVID A. MUNRO

BORN NOVEMBER 23, 1848. DIED MARCH 9, 1910

EDITOR OF THE NORTH AMERICAN REVIEW IN ASSOCIATION WITH ALLEN THORNDIKE RICE, LLOYD BRYCE, AND GEORGE HARVEY FROM 1889 TO THE DAY OF HIS DEATH. WORDS CANNOT DEPICT THE NOBILITY OF HIS CHARACTER, THE BEAUTY OF HIS SPIRIT, THE VALUE OF HIS LOVING KINDNESS. GOD REST HIS GENTLE SOUL IN PEACE!

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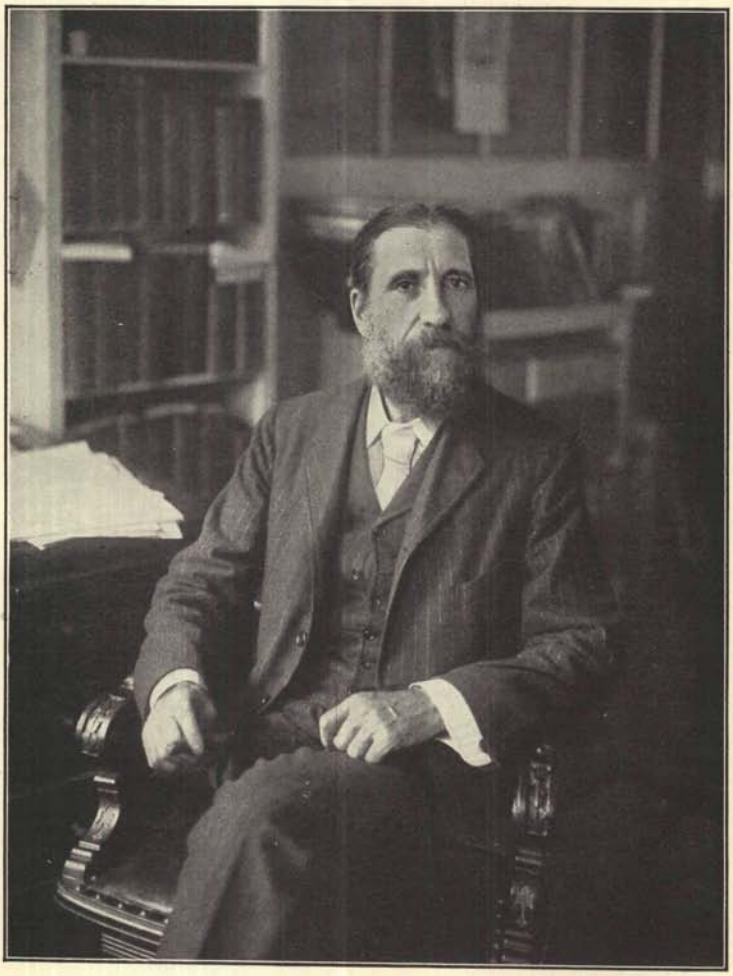

David A. Munro.

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